

**MINUTES OF A MEETING OF RUSHTON PARISH COUNCIL**  
**held Via Zoom on Tuesday 20<sup>th</sup> April 2021 at 7.30pm**

**Present:** Cllrs. Neil Thompson, Mike Wilson, Suzanne Hinchliffe, Graham Sime, Ed Shaw

**In Attendance:** Lindsey Worrall (Clerk), Eveleigh Moore- Dutton (Ward Councillor), Jerry Markham (Applicant), Ian Pleasant (Architect), Wendy and Nick Parker, Julie O'Shea, Declan and Anne Kelly, Martin Boardman, Helen Thompson, Olga Vertija,

**21.04.01      Apologies for Absence and Disclosure of Pecuniary Interests**

**Resolved:** None

**Resolved:** that Cllr. Thompson has a personal interest in Planning application 21/00650/FUL.

**21.04.02      Minutes**

**Resolved:** that the minutes of the planning meeting of the 16<sup>th</sup> March 2021 be agreed and signed as a correct record.

**Proposed:** Cllr. Hinchliffe

**Seconded:** Cllr. Sime

**21.04.03      Public Speaking Time**

All members of the public present at the meeting were asked individually whether they wanted to raise comments or concerns, the below are the views of the public present.

The majority members of public who attended wanted to listen to the planning application proposals, other issues raised included.

The speed of vehicles on roads were raised. Cars are using the lanes as a racetrack, especially Hall lane. The registration plate of a persistent offender has been gathered and will be passed to Cheshire Constabulary.

On Hall Road, the 40mph sign is missing, a new one has been requested from Highways, Clerk to chase again. The road surface has lots of potholes and required maintenance near to Hill House Farm.

Winterford Road has significant potholes and flooding issues. A highways vehicle was observed clearing the drains which has eased the flooding. The road has been marked out for pothole repairs and 14 complaints have been received by Highways regarding the state of the road.

Concerns were raised by a couple of members of public about the speed of Tractors using the lanes including Sapling Lane, Hickhurst Lane and Winterford Lane. A 20 plate John Deere has been observed at speed (35mph) driving past Whalley Driving, but it was noted that the tractors drive with care and caution past the school.

Cllr. Shaw, owns many of the tractors that use the lanes, none of his machinery would be able to do speeds of 35mph as suggested by the public, the size of the vehicle makes them appear to be going faster than they actually are.

Additionally, the roads have so many potholes which are exacerbated when driving a tractor that trying to drive at excessive speed would only cause injury to the driver by bouncing them from the seat.

We are fortunate to live in a rural village, farming is an integral part of this landscape, large tractors are required in modern day farming to ensure the land is protected the way we want it to be. Farmers are guardians of the soil, producing crops, caring for the hedgerows and are champions for the wildlife that are reappearing in the countryside through all the stewardship campaigns that farmers are part of.

## **21.04.04 Matters Arising**

### **Village Design Statement**

The Village Design Statement has not progressed since summer 2020 Cllr. Thompson and the VDS team have recently spoken to discuss the process of finalising the Village Design Statement, a meeting is planned for the near future.

### **Village Green Wall Repairs**

A quote has been received for the repair to the damage that occurred to the wall of the Village Green following the Road Traffic Accident. The quote is; £803.00 plus VAT. This quote is sizable due to the traffic management element required to ensure the repairs can be undertaken safely. Clerk to chase the contractor as weather now suitable.

### **Corona Virus Buddy Update**

Cllr Wilson gave an update: The May Newsletter will include an update. It is another opportunity to remind folk to look after each other particularly those who live alone. A thank you to all the angels who have assisted over the past year.

The Jessie Hughes Village Hall will open to certain activities in April and further easing will occur in May. The Parish Council will hold its first face to face meeting at the Jessie Hughes Village Hall on May 25<sup>th</sup> at 7.30pm. Social distancing, risk assessments and cleaning will all be undertaken in accordance to the current guidelines.

The Play Zone is open and sanitiser regularly refilled.

### **Speeding in Eaton**

Concerns continue to be raised by residents over the speed of vehicles travelling through the village. Issues continue to be worked on as follows:

1. Further to the meeting held in July with the Police, a further site meeting was held on 3<sup>rd</sup> September with the new PCSO JORGE FERREIRA; PC Monks & Councillor Mike Wilson. A zoom meeting will also be held with PC Monks.
2. PCSO Jorge has promised to be more visible in Eaton, to carry out increased speed checks.
3. PC Monks is arranging for special extra attendance by the Road Traffic section focusing on Eaton Lane.
4. The provision of a speed camera is still being looked at. The big issue here is the funding.
5. A Community Speed Watch Groups will be considered once training is available. (stopped due to COVID).
6. PC Monks is discussing with Highways, the need for more "reminder 40mph signs" along Eaton Lane.
7. "Calming" the approaches to the village is still on the wish list.

PCSO Ferreira has confirmed that Eaton Lane has been through the assessment for use with The Trucam, and Eaton Lane has received its special code. The Trucam has been used live on Eaton Lane to capture the speed of motorists on 20<sup>th</sup> April 2021. To use the Trucam on all roads within the parish, it would need each individual road assessing and a 'special code' assigned to each road.

There is a new PC covering the Eaton area, PC Gilcrest, will be taking an active role in assisting in making the area a safer location. PC Goldcrest wants to get involved with Parish Councils, reports will be prepared showing the number of vehicles caught speeding, how often speed checks undertaken.

Flowers have been planted at all the entrances to the village

**Action** – Chase Community Speed Watch Group to enable training when available, **Clerk**  
**Action** – another virtual meeting to be set up with police and Parish Council. **Cllr. Wilson**

### **Trees on the Green**

The trees on the green received regular maintenance during 2019, to ensure the trees do not out-grow the space they occupy.

Two reports have been received from local specialists, the Tree Officer for Cheshire West and Chester Council has been contacted to seek advice regarding the tree growth and maintenance that should be undertaken.

Quotes have been received from companies who are fully authorised by Scottish Power to work next to power lines, and authorisation from CWaC has been received to undertake the maintenance work within a Conservation Area. Local resident and specialist Martin Boardman produced a report in January that will be used to ensure that a detailed specification is used when placing the order. The work would entail a crown lift, crown reduction and crown thin on both the trees on the village green.

Following a meeting with contractors on Thursday 18<sup>th</sup> February, it was discussed that the trees shouldn't have been planted on the green in the first place and they are planted too close together. An interim report has been prepared and distributed to interested parties, all have concluded that the trees would be best removed.

The trees will grow to around 32m high, and are only 7m apart.

A group has been formed to look at options available and gain community input.

One suggestion has been that if the trees were removed a section of trunk could be retained and a bench could be made, and either one or three trees of more appropriate size planted in their place.

A proposal will be placed in the May newsletter that outlines all the options available, prior to a proposal being brought forward to the May meeting of the Parish Council.

### **Re-distribution of Cllr. Markham's Duties**

Following Cllr Markham stepping down from the Parish Council her duties need to be re-distributed between the councillors. Cllr. Markham was the Dog Warden and also had recently taken on the responsibility of collating the Parish Council element for the Newsletter. These duties will be picked up by the current councillors.

A dog warden is required for the Parish, this has previously been a councillor, but this could be an enthusiastic member of the parish who would like to encourage other dog owners to keep the parish a beautiful and safe place to walk our four-legged friends, for more information, please e-mail the clerk at rushtonclerk@aol.com

### **Vacancy**

The Vacancy for Parish Councillor will be advertised through the noticeboard, newsletter and website.

Anyone wishing to become a Parish Councillor, please contact the Clerk, Lindsey Worrall at rushtonclerk@aol.com

## **21.04.05**      **Planning Matters**

### **1- To note planning decisions.**

#### **APPEAL**

**Appeal Ref** – 21/00002/REF

**Planners Ref No.** APP/AO665/W/20/3264271

**Location** -Land Adjacent to Hill House Farm, The Hall Lane, Rushton

**Proposal** – Erection of one holiday let

**Decision** -Appeal is allowed and planning permission is granted for a holiday unit.

### **2- To consider response to planning applications received**

**Applications received since the last meeting.**

#### **APPEAL**

**Appeal Ref** – 21/00015/REF

**Planners Ref No.** APP/AO665/W/20/3264820

**Location** -The Old School House, Lightfoot Lane, Eaton, CW6 9AF

**Proposal** – Subdivision of the Old School House to form separate dwellings and provision of vehicular and pedestrian access **20/02780/LBC**

**Appeal start date** -15<sup>th</sup> March 2021

**Appeal Close for Comments** – 19<sup>th</sup> April 2021

Rushton Parish Council had no further comments to add to the original comments supplied to CWaC Planning Dept. These were resent to the planning inspectorate.

### **21/00650/FUL**

**Location** -Land adjacent to Spinney Cottage, Lower Lane and Eaton Primary School.

**Proposal** – Construction of residential development of five dwellings and the extension of Eaton Primary School outdoor facilities including the provision of new sports pitch and playground.

Newsletter content has been received from the Architect; the Parish Council will prepare a section for the newsletter to introduce the section prepared by the architect.

The Planning officer has agreed an extension of time for the Parish Councils comments. The Planning Officer is anticipating making a decision on this planning application at the end of June, the Parish Council will submit their comments at the end of May.

The Architect confirmed that the overflow car park would not be designated as a drop off point, it is designed for use during school events that require additional parking.

The net gain for the school facilities will be 6200 square ft. The current playing field will become a tarmac overflow carpark that can be utilised as a play area. Until the Architect and Parish Council have liaised with the School Academy it is unclear as to whether the School would want to change/alter the uses of their existing playing field.

The architect confirmed that many schools have Standard Management Structures in place for the use of facilities outside of school times, this has not been discussed with the school and therefore cannot be confirmed until liaison takes place.

Need to ensure the children's needs and feelings are also taken into consideration with this application.

The land which planning permission is being sort was previously owned by Cheshire County Council (now Cheshire West and Chester County Council), when sold to the previous owners of Spinney Cottage a Covenant was placed on the land. This covenant states that (a) a stockproof fence is required, (b) the land is to be used solely for agricultural and accommodation purposes, (c) no buildings shall be erected on the land without prior written consent of the vendor (CWaC).

The covenant is a separate entity to the planning application that the Property Team within CWaC are dealing with. If a benefit to the school can be exhibited, then the covenant can be lifted. A prior agreement between the applicant and the School Academy will need to be in place to enable the covenant to be lifted.

Any uplift in the value of land from agricultural land to development land that holds a covenant on it is dealt with on a case by case basis.

Community engagement to occur through the article in the newsletter, plans placed on the noticeboard and also the organisation of a Microsoft Teams drop-in event where members of the public can attend a virtual meeting to ask questions, the date of this will be advertised in the newsletter.

Liaison with both the Academy and the Architect for the Developer is also required prior to the Parish Council can form a decision on this application.

Members of the public can join the planning meeting by e-mailing the clerk at [rushtonclerk@aol.com](mailto:rushtonclerk@aol.com) and joining instructions will be sent out, once a date is confirmed.

## **21.04.06      Highways**

### **Outstanding Road Safety Issues from Previous Meetings**

There has been little progress on the following issues but they remain our objectives for completion in 2021.

#### **1. Proposals suggested by the Parish Council & Responses from Highways**

##### **a. Speed Limits (see marked up map used).**

- i. The 20mph limit currently on the Village Green, should be moved out to where the existing 30mph limit is situated (the originally agreed position).
- ii. The 30mph limit in i. above should be moved out to the current "Eaton Village Sign" towards Cotebrook.
- iii. The 20mph limit currently sited before the Village Hall should be put out to where the current 30mph limit changes to 50mph (at the bottom of the hill; the originally agreed position). This is being assessed by Highways and we await a decision. **Clerk to chase the delivery team.**
- iv. The 30mph limit in ii. Should go out to the "Eaton Village Sign" at the hill-top
- v. The current 20mph sign 50m below the school (Lower Lane), should be moved out to existing 30mph signs at the far end of Whalley Drive.
- vi. The 30mph signs from v. to be moved to junction with Dogmore Lane.

##### **vii. Response by Highways**

The proposal was understood by Highways but involved many issues. It was agreed that RPC will contact Dave Reeves (Road Safety Engineer) of Highways Ellesmere Port office to arrange a visit and possible re-assessment. Further speed assessments will be undertaken during October

**ACTION: RPC to arrange meeting with Dave Reeves. Clerk to continue to liaise.**

##### **b. Actions to try and reduce the number and / or speed of vehicles using Eaton as a "rat run" between the Alvanley Arms (A49) and the "Red Fox" (A49/A51).**

###### **i. Village Approaches**

On Eaton Lane and Royal Lane ("Eaton" Sign Board) the Parish Council would like to create "You Are Entering a Rural Village" structures with flower beds, beware signs; gated impression. The structure would be fastened to the "Eaton" village signs and not require digging out for supports etc.

**ii. Response by Highways**

No initial objection. Various forms are now online for “addition of street furniture” etc and RPC were advised to look-into this and before submitting, send a draft to them for comment

**ACTION: RPC to complete documentation and submit with layout etc to Highways for comment. Cllrs. Wilson, & resident Graham Bennett Thompson to create the plans, with drawings, dimensions and approx. costings for the planters.**

**iii. Road Marking**

Existing & new road marking e.g. “dragons-teeth” need to be investigated and renewed where appropriate.

**iv. Response by Highways**

This can be looked at after the decisions are made ref new speed limit positions.

**Smaller Issues requiring attention**

Sapling Lane, the flooding issues are becoming worse with water visible on dry days. Mr Bert Platt has produced a document showing where he feels the efforts should be placed, Cllr Wilson has produced photographic evidence to show that the leak is a Highways Dept. issue and not Private issue along with details of how long the drains remain flowing once cleared by Highways operatives. This evidence will enable the Parish Council to prove that the leak is causing significant harm and danger and needs addressing.

The flowing water on Sapling Lane is causing the road to wear away, recently a motorist lost a wheel when hitting a pothole.

Action: A comprehensive plan of works required has been drawn up, these have been sent to Highways to assist them in their understanding of the issues.

Highways attended and jetted the gullies but did not invite representatives of the Parish Council to be present as original suggested. The Clerk to chase a meeting on Sapling Lane as Highways interventions are only temporary fixes and a long- term resolution needs to be determined with all parties present.

Dogmore Lane requires resurfacing, the road has degraded over the winter months.

A report has been prepared that creates a priority list of roads needing repairs in the next year, both potholes and widths of roads, Clerk to contact Highways to see the road assessment and ask to view the priority list.

Serious accidents have occurred on Royal Lane just outside the village, a total of five accidents in four years have occurred including a car hitting a tree. These accidents need to be reported to Highways when they occur to re-enforce how dangerous the lanes of the Parish are and that speed is often a factor in car accidents.

The Clerk will report all Flood issues potholes and Highways issues, but if residents also report them the issues will be dealt with quicker, the number of times issues are reported the higher ranked an issue becomes (a bit like points makes prizes). Go onto the Cheshire West and Chester Council Website,

click onto **Report a Highway Fault**, then **Report a Fault**

You will be able to detail the fault, including the exact location and attach up to five photos.

**21.04.07 Reports from Working Groups Communications**

**Newsletter**

Articles for the May edition of the Newsletter are due by Wednesday 28<sup>th</sup> April. A wide range of topics will be included in this edition from, The Councillor vacancy, Picnic Area progress, the trees on the green and the current planning application in the village.

The newsletter will be electronically circulated to over 200 residents of the village and placed on the website, the last newsletter was also placed in the noticeboard, 24 paper copies were made available to those known not to use the internet, and a further 25 paper copies were placed in the telephone box.

### **Advertising Local Business**

Within the Parish there are numerous businesses, a separate newsletter could be generated to advertise these businesses and service providers. Companies will be contacted to ask whether they would like to be included and if there is enough interest, the process will be discussed at future meetings.

**Actions** – contact businesses within Parish to gain their input in the project Cllr. Wilson

### **Oulton Mill Picnic Area Project.**

The Picnic Area has been well used during lockdown. Thank you to Mike Wilson and others who check on the site/bin during this time.

Notices have been renewed around the site.

Before the new spring growth begins some work is planned at the picnic area, grass will be cut, the wildflower meadow rotavated and new wildflower seed sown.

Anyone wishing to volunteer with the picnic area project, please contact the Clerk Lindsey at, [rushtonclerk@aol.com](mailto:rushtonclerk@aol.com)

## **Youth/Social/Community**

### **Play Zone Project**

The play zone sanitiser is checked regularly to ensure it is kept topped up. The recent frost damaged the sanitiser holder, this has been repaired. Signage is in place.

The Playzone rota or 52 rota has been suspended during the pandemic, this rota will resume in the near future.

### Eaton Primary School conversion to Academy

Eaton Primary School has converted to an Academy as part of Tarporley High School and Sixth Form College Multi-Academy Trust.

The current agreement between Eaton Primary School and Rushton Parish Council in respect of the MUGA has to be renewed which will now be between the Parish Council and the Academy. The Parish Council have produced a draft of this new agreement and included a financial contribution for wear due to school use (e.g. local repairs and long-term replacement of the expensive flooring) and clarification on liabilities. During the school extension the MUGA was used extensively as the playing field was out of use and this has continued making it a key facility of the school.

Contact has been made with the Legal Representatives who assisted with the arrangements when prepared in 2015.

Contact has been made with the School Academy to discuss the previous legal agreement and scope of the new agreement.

Andrew Davie has confirmed that the school has insurance to cover the children's use of the facility.

During last week (Easter holiday's) the facility was locked all day due to miss communication within the school, in future the school will only have a few hours use a day during the holiday period.

The agreement is progressing but has not been seen by the Parish Council, no figures have been agreed between parties either has the Academy agreed to pay the legal fees of the Parish Council.

**Action** - liaison until new agreement can be put in place. **Cllr. Wilson**

### **Youth Club**

Currently Closed, not expected to re-open at the moment.

Cllr. Mike Wilson & Mary Wilson have stood down from the Committee, having been actively involved from the set up of the youth club 10yrs ago. A Councillor will need to become involved in the running of the Youth Club as this is a Parish Council initiative when it is deemed safe for the youth club to reopen. Others will have to step up to assist the small remaining leadership team, some taking on Leadership roles.

The insurance for the Youth Club was due at the end of March, this has been allowed to lapse until such a time that the youth club resumes.

### **Litter Picking**

The Parish Council have a team of volunteers who regularly undertake litter picking around the roads of the Parish. The equipment that the Parish Council have previously bought has now all been distributed. A members Budget application to purchase new equipment has been received. Thank you to Ward Councillor Moore-Dutton for assisting with this grant application process, the litter picking equipment will help keep the Parish a beautiful area for us all to enjoy.

Members of the Parish have reported that litter appears to increase on a Monday following the recycling vehicles driving through the village. If photographs are taken, especially if a recycling vehicle is observed losing material, fines can be handed out. All recycling lorries should close all doors as they are driven along the roads, even narrow country lanes.

### **Dog Waste**

There is an increase in the number of people out walking within the Parish. There is a dog waste bin on Whalley Drive that is used and emptied by CWaC. Oxhey's Lane is particularly bad for dog waste, often on the grass verge, but as there is no footpath, the verge is often used for walking on especially by children.

Cllr. Moore- Dutton, explained that the Parish Council could buy a bin, but it would be unlikely that CWaC would want to empty it.

A dog warden is required for the Parish, this has previously been a councillor responsibility, but this could be an enthusiastic member of the parish who would like to encourage other dog owners to keep the parish a beautiful and safe place to walk our four-legged friends, for more information, please e-mail the clerk at [rushtonclerk@aol.com](mailto:rushtonclerk@aol.com)

## **21.04.08 Correspondence**

**Resolved:** that correspondence received as detailed below be noted and the action list be agreed:

<b>Reporter</b>	<b>Date</b>	<b>Description</b>	<b>Action</b>
Cheshire Constabulary	23/01/21-ongoing	E-mails between Cheshire Constabulary and Councillors, the Truecam that enables speeding tickets to be issues will be available to Eaton.	E-mails circulated to councillors
Multi-Academy Trust	29/10/20 onwards	Use of MUGA by school when transferred to Multi-Academy Trust, new agreement to be created	Circulate to councillors
Councillors	23/02/21 onwards	Litter picking equipment. Member Budget applications.	Equip. Now received and distributed
Councillors	24/02/2021 onwards	Maintenance of trees on the green, emails between residents, contractors, and CWaC Tree Officer	Circulate to Councillors
Business in Tarporley	13/03/21	Tarporley Beers would like to advertise within the village	Asked for information



PKF Littlejohn	18/03/21	External auditor instructions received	Clerk to undertake work
CWaC	28/03/21	Avian flu alert	Circulated to councillors
Member of public	01/04/21	Litter is regularly observed on Beech lane on a Tuesday after bins collected	Further evidence req.
Cheshire Constabulary	07/04/21	Providing information of the new Beat manager	Circulated to Councillors
Member of Public	13/04/21	Details of petition for 21/00650/Ful sent to Clerk	
Newsletter editor	13/04/21	Newsletter contributions req. by 28 <sup>th</sup> April 21	Circulate to councillors

#### **21.04.09 Finance Matters**

**Resolved:** that the following net accounts are passed for payment:

- Accounts for payment (below)

PAYEE	DESCRIPTION	NET (£)	VAT (£)	TOTAL (£)
ChALC	Yearly subs	£136.44		£136.44
Mr M Wilson	Litter Picking Equipment and wildflower seeds, rotavator etc	£	£	£339.69

#### **21.04.10 External Meeting**

#### **21.04.11 Next Meeting**

The next Parish Council meeting will be held on Tuesday 18<sup>th</sup> May 2021 at 7:30pm at the Jessie Hughes Village Hall.

#### **21.04.12 Any Other Business**

Oulton Mill Lane, drainage works have now been undertaken by the landowner, there is an inspection chamber open.

A Lleylandii hedge has also been planted, a native hedge would have been far more suitable for a rural setting.

Clerk to contact the Planning Dept regarding the hedging and Highways Dept regarding the drainage and open chamber.

**There being no further business, the meeting closed at 9:37pm.**

Signed: \_\_\_\_\_ Date: \_\_\_\_\_