

MINUTES of Euxton Parish Council full council meeting held on 21 July 2022 from 7.15pm at The Annexe, Euxton PC Community Centre, Wigan Road, Euxton.

Present: Cllr K Reed (Chairman) Cllr E Jones Cllr V Thornhill
Cllr B Duckworth Cllr D Paterson Cllr H Tune
Cllr N Hall Cllr R Peers Cllr S Walker
Cllr I Hamer Cllr A Riggott Cllr B Williamson
Cllr D Rigg Cllr J Williamson

Clerk: D Platt, A Platt
Members of the public: 1

Council held a moment of silence for the passing of Rosemary Russell.

1. Apologies

Cllrs P Fellows, S Hoyle, A Oddy.

2. Declarations of Interest and Dispensation Considerations

No declarations.

3. Minutes of Council Meetings

Resolved: Minutes of the Full Council Meeting held on Full Council of 16 June 2022 were agreed to be an accurate record and signed by the Chairman.

4. Public Participation

None present.

5. Statutory Business

5.1 Co-option – Consider letter(s) of application from interested residents

None received.

5.2 Planning - Consider planning report from Lead Member for Planning, approve responses and ratify responses made between meetings or to meet deadlines

635 – respond on the need for off street parking

712 – plans not available on the planning site but need to clarify off street parking is adequate

691 & 670 – standard response regarding TPO trees.

669 – plans not available on the planning site, standard responses regarding TPOs

6. Financial Items

6.1 Approve Expenditures for this month, and any submitted after the agenda.

One invoice received late will be added to the list, Chorley Council, election expenses.

Resolved: Council approved the listed expenditures (see Appendix 1).

6.2 Receive financial reports

Resolved: Council received the financial reports.

6.3 Allocate a carry forward budget of £13,618 for the Allotment Committee

Resolved: Council agreed for this budget to be updated with £13,618..

7. Council Policies

7.1 Policy and Document Review list – review list and suggest future policies for updating

Resolved: Council indicated the first policies to be review and that all policies should be reviewed within a 4 year turnaround period.

7.2 Anti Fraud & Detection Policy drafted new policy for consideration and adoption

Resolved: Council adopted the drafted policy, with one proviso to have checked the paragraph 3.1.5 on criminal convictions.

9. Matters for information

Some Councillors indicated they had received further correspondence from a resident regarding the Earlsway land.

Cty Cllr Riggott updated on an accident on Dawbers Lane, average speed camera project details will be out in October, Love Clean Streets App.

VT updated on a response from Chorley Council sent in over two years ago regarding requested TPOs. Most turned down, few accepted. Append letter to minutes. See Appendix 2.

Official Allotment Site opening reminder, 4th September 2022 12 noon. The Allotment Society will meet on the 4th August.

Millennium Green approved works and changes will begin in November and an article will be in the newsletter.

Gala Day went well – thank you to all who were able to attend and our village caretakers for delivering, erecting and taking away all the materials needed for the day.

The Chairman declared the public part of the meeting closed.

PRIVATE, PART II ITEMS

Exclusion of Press and Public

Pursuant to section 1(2) of the Public Bodies (Admission to Meetings) Act 1960 and defined in Schedule 12A of the Local Government Act 1972, Part 1 s1-10 (*specifically for this item 1*). It is proposed that, because of the confidential nature of the business to be transacted the press and public are excluded from the forthcoming items of business (*specifically for this item: Information relating to the financial or business affairs of any particular person (including the authority holding that information)).*

9. Personnel Committee

Report from the Personnel Committee meeting on the 12th July was read out by the Chair and Council received the information.

8.20pm

APPENDIX 1 to Minutes of 21 July 2022

6.1 Approve Expenditures for this month

| Date: 19/07/2022 | | Euxton Parish Council | | | | Page 1 | | | |
|---|-------------------------------|-----------------------|---------------------|--------------------|--------------|-------------|---------------|-----------------|----------------------------|
| Time: 13:33 | | Cashbook 1 | | | | User: CLERK | | | |
| | | Current Bank A/c | | | | | | | |
| Payments made between 20/06/2022 and 30/07/2022 | | | | | | | | | |
| Nominal Ledger Analysis | | | | | | | | | |
| <u>Date</u> | <u>Payee Name</u> | <u>Reference</u> | <u>£ Total Amnt</u> | <u>£ Creditors</u> | <u>£ VAT</u> | <u>A/c</u> | <u>Centre</u> | <u>£ Amount</u> | <u>Transaction Details</u> |
| 20/06/2022 | Forbes Solicitors | 69 | 40.00 | | | 4130 | 120 | 40.00 | Land reg charge |
| 20/06/2022 | Zoom | 70 | 14.39 | | 2.40 | 4080 | 120 | 11.99 | Virtual platform |
| 20/06/2022 | British Telecom | 71 | 175.09 | | 29.18 | 4080 | 120 | 145.91 | Telephony |
| 30/06/2022 | Staff salaries | 66A | 846.00 | | | 4000 | 100 | 846.00 | June |
| 30/06/2022 | Staff salaries | 66B | -846.00 | | | 4000 | 100 | -846.00 | Mistake credited |
| 30/06/2022 | JRB Enterprise Ltd | 67 | 2,385.60 | | 397.60 | 4570 | 200 | 1,988.00 | Dog bags |
| 30/06/2022 | Burt Wesley & Sons Ltd | 72 | 288.00 | | 48.00 | 4530 | 200 | 240.00 | Green waste removal |
| 30/06/2022 | Plusnet | 73 | 6.55 | | 1.09 | 4080 | 120 | 5.46 | Mobile |
| 30/06/2022 | Water Plus | 74 | 6.38 | | | 4500 | 200 | 6.38 | Water |
| 30/06/2022 | Southern Electric | 75 | 184.11 | | 8.77 | 4500 | 200 | 175.34 | Electricity |
| 30/06/2022 | Unity Trust Bank | 76 | 18.00 | | | 4080 | 120 | 18.00 | Service charge |
| 19/07/2022 | Plusnet | 77 | 6.55 | | 1.09 | 4080 | 120 | 5.46 | Mobile |
| 19/07/2022 | RBS Bank | 78 | 2.45 | | | 4080 | 120 | 2.45 | Charges |
| 19/07/2022 | Easy Websites | 79 | 98.40 | | 16.40 | 4080 | 120 | 82.00 | Website & Emails |
| 19/07/2022 | Water Plus | 80 | 6.38 | | | 4500 | 200 | 6.38 | Water |
| 19/07/2022 | Peoples Pension | 81 | 180.75 | | | 4000 | 100 | 180.75 | Pensions |
| 19/07/2022 | Pole Green Nurseries | 82 | 45.10 | | 7.52 | 4510 | 200 | 37.58 | Plants |
| 19/07/2022 | Nuts | 83 | 37.54 | | 6.26 | 4570 | 200 | 31.28 | Lock |
| 19/07/2022 | Chorley Business & Technology | 84 | 402.00 | | 67.00 | 4020 | 120 | 335.00 | Office |
| 19/07/2022 | Play Inspection Co | 85 | 333.60 | | 55.60 | 4570 | 200 | 278.00 | Inspections |
| 19/07/2022 | Floristic | 86 | 150.00 | | | 4581 | 200 | 150.00 | Jubilee wreath |
| 19/07/2022 | Screwfix | 87 | 67.05 | | 11.18 | 4520 | 200 | 55.87 | Cover |
| 19/07/2022 | Staff salaries | 88 | 6,678.35 | | | 4000 | 100 | 6,678.35 | July 2022 |
| 19/07/2022 | HMRC | 89 | 1,015.99 | | | 4000 | 100 | 1,015.99 | HM Land Registry |
| Total Payments: | | | 12,142.28 | 0.00 | 652.09 | | | 11,490.19 | |

APPENDIX 2

Letter from Chorley Council in response to a plan and request made by Euxton Parish Council to Chorley Council on 26 August 2020.

Our ref: CE773
Your Ref: N/A
Date: 28 June 2022

Debra Platt
Clerk to Euxton Parish Council

Via email to: clerk@euxtoncouncil.org.uk

Dear Debra,

Re – Proposed Tree Preservation Order for Euxton

I write with reference to your email dated 21 June 2022 regarding the request made back in August 2020 by Euxton Parish Council that various trees be protected. I am sorry that you have not had a formal response but I can assure you that the request has been fully considered.

Where the council receive requests to protect trees it is the council's normal practise and procedure for the decision whether or not to make an order to be made by the council's Chief Planning Officer under delegated powers set out in the council's constitution.

The law on Tree Preservation Orders (TPOs) is set out in Part VIII of the Town and Country Planning Act 1990 ('the Act') and in the Town and Country Planning (Tree Preservation) (England) Regulations 2012. The Act must be read in conjunction with section 23 of the Planning and Compensation Act 1991 which amended some of the TPO provisions in the 1990 Act and added four new sections (sections 214A, 214B, 214C and 214D).

Local Planning Authorities (LPAs) may make a TPO if it appears to them to be: 'expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area' as set out in law.

The Act does not define 'amenity', nor does it prescribe the circumstances in which it is in the interests of amenity to make a TPO. In the Secretary of State's view, TPOs should be used to protect selected trees and woodlands if their removal would have a significant impact on the local environment and its enjoyment by the public. LPAs should be able to show that a reasonable degree of public benefit would accrue before TPOs are made or confirmed. The trees, or at least part of them, should therefore normally be visible from a public place, such as a road or footpath, although, exceptionally, the inclusion of other trees may be justified. The benefit may be present or future; trees may be worthy of preservation for their intrinsic beauty or for their contribution to the landscape or because they serve to screen an eyesore or future development; the value of trees may be enhanced by their scarcity; and the value of a group of trees or woodland may be collective only. Other factors, such as importance as a wildlife habitat, may be taken into account which alone would not be sufficient to warrant a TPO. It would be inappropriate to make a TPO in respect of a tree which is dead, dying or dangerous.

LPA's should be able to explain to landowners why their trees or woodlands have been protected by a TPO. They are advised to develop ways of assessing the 'amenity value' of trees in a structured and consistent way, taking into account the following key criteria: (1) visibility: the extent to which the trees or woodlands can be seen by the general public will inform the LPA's assessment of whether its impact on the local environment is significant. If they cannot be seen or are just barely visible from a public place, a TPO might only be justified in exceptional circumstances; (2) individual impact: the mere fact that a tree is publicly visible will not itself be sufficient to warrant a TPO. The LPA should also assess the particular importance of a tree by reference to its size and form, its future potential as an amenity, taking into account any special factors such as its rarity, value as a screen or contribution to the character or appearance of a conservation area. Where there is a group of trees or woodland, an assessment should be made of its collective impact; (3) wider impact: the significance of the trees in their local surroundings should also be assessed, taking into account how suitable they are to their particular setting, as well as the presence of other trees in the vicinity.

Although a tree, or trees, may merit protection on amenity grounds it may not be expedient to make it the subject of a TPO. For example, it is unlikely to be expedient to make a TPO in respect of trees which are under good arboricultural or silvicultural management. It may be expedient to make a TPO if the LPA believe there is a risk of the tree being cut down or pruned in ways which would have a significant impact on the amenity of the area. The LPA may have some other reason to believe that tree or trees are at risk; changes in property ownership and intentions to fell trees are not always known in advance, and so the protection of selected trees by a precautionary TPO might sometimes be considered expedient. Where trees are on land that is owned by the council or a parish council they are not generally considered to be under threat of felling.

Indeed, the general approach taken by councils across the country is that they do not put tree preservation orders (TPOs) on trees that are on land that is publicly owned. The reason goes back to one of the justifications as to why a TPO is made in the first place – that the trees are under threat. Local councils are not in the habit of undertaking works, including the felling of trees, without good reason. That reason can be in cases where the tree is dead, diseased, imminently dangerous, or has reached the end of its natural life cycle. It can also be where development is approved and in this scenario the issue of the impact of development upon trees will already have been dealt with as part of the development management process. Local councils are mindful of the benefits that trees bring to the amenity of an area and this factor, coupled with a lack of desire to undertake unnecessary works and, therefore, not spend limited resources unnecessarily, is the reason why trees owned by local councils are not generally the subject of TPOs.

After considering all of the trees that the parish council suggested should be protected, it was considered that the trees in Location 5 (Woodland defined by Wigan Road, Euxton Parish Church graveyard, the railway and Chapel Brook) and some of the trees in Location 7 (Mature trees in front gardens on the southern section of Washington Lane), namely the oaks, merited protection.

However, after officers carried out their initial site visits and assessments we became aware that the parish council had purchased the land at Location 5 and, therefore, we have not progressed a TPO for those trees.

In summary, it is not considered expedient to protect trees in locations 1, 2 and 4, due to the lack of threat, or the trees in locations 3, 6, 8 and 9. The tree in the grounds of the substation has

been heavily pruned recently, is likely to require further pruning periodically and is not a suitable location for a protected tree. The highway trees are unlikely to be worked on by LCC unless necessary for safety reasons and there is unlikely to be a threat to the trees on parish council land.

I can confirm that the council's Chief Planning Officer has authorised the making of a TPO for 3no. oak trees on Balshaw Lane/Washington Lane and this is now in train and should be completed in the next few weeks.

I trust this clarifies the situation but please do not hesitate to contact me if you require any additional information.

Your sincerely,

A handwritten signature in black ink, appearing to read 'G Hall', written in a cursive style.

Gary Hall
Chief Executive (Chorley and South Ribble)
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Tel: 01257 515104