

SILVERDALE PARISH COUNCIL
Minutes of the Regular Meeting on Thursday 13 October 2022
at 6.30pm at Silverdale Library

Present:

Chair – Mr H Adamczuk (HA)

Parish Cllrs - Cllr C Spence (CS)), Cllr Celia Jarrett (CJ), Cllr L Leighton (LL), Cllr C Mrozicki (CM), Borough Cllr J Brown (JB)- part

Parish Clerk – Ms D Powell (DP)

In attendance – No members of the public were present.

244/22 Public Participation: Chair

This item is on the agenda to allow the public to raise issues at the Parish Council

The period of time designated for public participation in accordance with standing order 3 f shall not exceed 10 minutes unless directed by the chairman of the meeting. Subject to standing order 3 g. a member of the public shall not speak for more than 2 minutes.

No members of the public were present.

245/22 To receive apologies (in writing to the Clerk)

Apologies were received from Borough Cllr R Adcock (RA), Cllr M Melvin (MM), Cllr A Sutcliffe (AS)

246/22 To resolve that the minutes of the Regular meeting held on 8 September 2022 are correct and for the Chair to sign at the meeting (copy attached) *Please read these before the meeting as they will be taken as read.*

RESOLVED to approve the minutes with minor amendments.

247/22 Declaration of Disclosable Pecuniary interest in any item on the agenda (*Note member should notify Monitoring officer within 28 days if not already. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships*) ALL to complete DPI forms and return electronically - To note Dispensation granted to Chrissy Mrozicki to discuss (only) the Acres Allotments.

No further declarations.

248/22 To note the written update (to be circulated in advance) from the Borough Councillors, County Councillors.

Both Borough Councillor reports had been circulated and are included at the end of the minutes.

Cllr Brown left the meeting at 6.55pm.

249/22 Wildlife and County Act Rights of Way: Protective marking Scheme Route around Keele Municipal Golf Course

- a. To receive feedback regarding a circular footpath at the former Keele Golf Course for submission to Staffordshire County Council Countryside and Rights of Way Panel on 12 September 2022 and the SCC letter to the chair dated 20 September outlining the reasons for their decision.
 - HA had circulated a letter from the solicitor at SCC. The legal rules and legislation were highly prescriptive. There was not enough consultation in applications with the route or highways network and therefore this was practically an inevitable failure. Another application would need more than 16 footpath users and a consistency in the routes taken. Councillors discussed people who used the path and would be able to provide statements as the numbers of users was important to the collection of evidence.
 - The request to allow a hedgehog hospital on Acres Allotments was discussed. The Allotment Association was keen to progress this application because the two plots

were not in use and the cause was highly regarded. The Chair had circulated an email to councillors and asked for responses by email.

250/22 Walley's Quarry Ltd Landfill

- a. Walley's Quarry Liaison Meeting 15 September updates. (HA/CJ)
- b. The Borough Council's Abatement Notice settlement announced 7 October 2022
 - HA had circulated the Borough Council's statement about the abatement settlement and details of hydrogen sulphide emissions.
 - HA raised the question about the costs involved in the out of court settlement, which put a ceiling of £460,000 on the court costs borne by the operator. It was important to find out the total spend by the borough council in taking court action. That amount was not disclosed yet it amounted to public funds from the Borough Council's General Fund. From the point of view of transparency that part of the court costs should be disclosed.
 - Also, whether it was a reasonable agreement which only lasts for five months and whether another abatement notice would be required.
 - Further to the report, it transpired that 'the exclusion zone doughnut' in Appendix A to the settlement only covers 1km from the outer boundary of Walley's Quarry. Most of Silverdale would be outside this 'exclusion zone doughnut'. HA to write to the Chief Executive Martin Hambleton for clarification as most of Silverdale appears to be outside of the designated zone.

251/22 Neighbourhood Development Plan.

- a. To receive a report from the Neighbourhood Planning Steering Group 1 October and to circulate each councillor with a 'consultation pack' consisting of Map of neighbourhood area, copy of the 2021/22 Issues and Strategic Options Consultation Document, The 2018 University Growth Corridor report and 10 blank survey questionnaires for residents.
- b. Make plans for extensive consultation of residents during 2022/23 with one meeting before Christmas and one meeting afterwards for large groups then smaller sectional meeting afterwards.
- c. To review feedback from the Newsletter and discuss how the website might be improved to ensure that mobile phone users can navigate to current and past newsletters
- d. To welcome Hannah Barter of UVECIC to discuss how the parish council might develop strategic green gaps and help to preserve key natural features such as woodland and other special habitats and evaluate the landscape character in Silverdale and RESOLVE whether to commission a consultant to complete a Wetlands and Lagoons and Sustainable Drainage System (SUDS) feasibility study on the former Keele Golf Course to discuss the Neighbourhood Plan publicity and improving Silverdale PC website so mobile devices can access Silverdale Parish newsletters effectively.
- e. To note the next Neighbourhood Planning Steering Group meeting 29 October.
 - Hannah Barter of Urban Vision joined the meeting by Zoom at 7pm.
 - HA had circulated the report from the last Steering Group meeting. HA had obtained maps for the Golf Course showing links between those maps and housing in Silverdale.
 - The meeting discussed the possibility and funding of feasibility and topographical studies on wetlands, marshlands, ponds and watercourses. Also the mapping of special areas for waterbodies and to include a site specific policy to protect those features was discussed.
 - CS commented that hydrology studies had been carried out for historical mine shafting connections through Silverdale and the Golf Course. HA to find the contact details of the person who would be able to provide the details of the hydrology studies within the Coal Authority.

- The meeting discussed the refused planning application for 200 houses at Baldwins Gate.
- Copies of Local Plan, questionnaires and a copy of the consultation pack had been circulated.
- A community day has been arranged by Aspire Housing for 26 October 2022 from 11am to 3pm on The Parade.
- The website is to be revamped and a budget of £1000 was allocated for this purpose.

252/22 FYI only Silverdale Gardens – Planning update regarding S106.

This was covered in the report from JB.

253/22 Mining Monument progress (HLF) Project

- a. Energy Cost from Monument Lighting Installation
DP to chase the supplier.

254/22 Homeworks update and jobs

- a. To consider the list of outstanding jobs in Silverdale in view of the meeting on 17 August with Aspire Housing.
No further update.

255/22 Local Plan consultation and Keele/Silverdale Growth Corridor

- a. Borough Council Plan Consultation Issues and Strategic Options Consultation update
- b. Save Our Green Space update
A SOGS meeting is arranged for 20 October 2022 at 7pm at Keele Village Hall. A decision by NBC, announced in The Sentinel, appeared to lower housing needs for the next 20 years at 7,000 requirement (against two other options; a medium option 8200 and a higher option 8900). A standardized methodology is to stick with the minimum. The consultation document statement is that 2500 can be built on brownfield sites and the remaining 4500 on green sites. The University Growth Corridor is at the forefront of the developments. HA had circulated comments about saving green spaces. HA pointed out that SPC would be involved in discussions about the preservation of trees, wetlands and habitats on Keele Golf Course.

256/22 To consider a fee quote for legal costs to extend the lease to include the additional site (plot numbers 45-80) at the Acres Allotments (note additional legal/site remediation/Knotweed costs).

- a. To update on the tenancy at will agreement request to NBC and resolve to ask the Parish Clerk to sign the letter of intent and for the Chair to amend the draft agreement.
- b. To agree in principle that if the Borough Council clears the waste material on the council's land beyond lane 4 then Silverdale Parish Council would negotiate a new lease for the whole site (previously known as Acres Allotments Nos 1-80).
- c. To consider appointing a consultant regarding the remediation of waste in the legal agreement to represent the parish's council's interest.
 - Awaiting general legal advice from NALC. It was **RESOLVED** to sign the contract for the tenancy at will and to look again at the longer term implications when the lease comes up.

257/22 To consider any grant applications (SPC Grant Programme £2,000)

No applications had been received.

258/22 GDPR (Standing Item) – INFORMATION ONLY

Subject Access Requests/Information Security/Data Breaches – reminder.
No issues.

259/22 **To consider a quote**

- a. To install a new noticeboard at the library and to install (note: may need permission from SCC/Highways).
- b. To consider a special memorial sign for the noticeboard.
Item deferred.

260/22 **To consider memorial benches for The Parade and for Bath Road, Parksite**

The meeting discussed locations for benches. An informal consultation is to take place with residents. CS to speak to residents in Parksite. Retailers are to be consulted in Lower Parade and the village.

261/22 **To receive an update regarding traffic danger outside St Luke's Primary School Pepper St**

No update

262/22 **Finance**

- a. To approve the payments, receipts and transfers – Appendix A
RESOLVED to approve the payments.
- b. To approve the bank reconciliation – to follow
- c. To approve the budget report
RESOLVED to approve the budget report
- d. To consider budget setting for 2023/24
Councillors were asked to review the budget for 2023/24.

263/22 **To approve comments for the following Planning Applications ([please click on the link to view BEFORE the meeting](#)) and to approve delegated authority to deal with any urgent ones in between meetings in consultation with the Chair.**

22/00839/FUL | removal of existing cladding/render that have fallen into disrepair and installation of new external composite cladding | Silverdale Nursing Home Newcastle Street Silverdale Newcastle Under Lyme Staffordshire ST5 6PQ (newcastle-staffs.gov.uk)

No objection.

22/00816/TDET | Proposed telecommunications installation: Proposed 16.0m Phase 8 Monopole C/W wraparound Cabinet at base and associated ancillary works. | Adjacent To Silverdale Workingmen's Club High Street Silverdale Newcastle Under Lyme Staffordshire ST5 6LY (newcastle-staffs.gov.uk)

The Government's national planning policy framework NPPF 2021 was clearly in favour of extending the 5 G network. No objection was possible in principle but the parish council agreed to object to the proposed location, directly in front of the entrance to Silverdale WMC. It would have a disproportionate impact on the Working Men's Club and many other local services, retail premises and community health facilities. In addition, the proposed site would be contrary to Equalities Legislation Principles (by causing obstruction to persons partially sighted or people with mobility issues requiring a scooter).

264/22 **To resolve to contact NBC regarding use of the former Bowling Club Pavilion**

No action.

265/22 **To note the Staffs Parish Council Assoc Bulletins and correspondence received - noted**

266/22 **Western Communities LAP 5 October update (New Lap Project Brief Industrial Heritage route from Brompton Sidings to Silverdale, Knutton and Cross Heath along the Mineral Line) – (HA/CJ)**

This information had been circulated by HA.

267/22 **Emergency Plan Risk Assessment**

Item deferred.

268/22 Bus services to Silverdale and Parksite estate during off peak hours

SPC had been contacted by residents dependent on the bus service. The service to Parksite had worsened. Under the sustainable transport model the County Council needs to provide a better service. DP/CS to write to Cllr Huckfield and SCC.

269/22 Aspire Housing Community Day 26 October at the Parade over 11am to 2pm - noted

**THE NEXT MONTHLY MEETING WILL TAKE PLACE ON
10 November 2022, at 6.30pm**

To agree future dates include,
8 December 2022, 12 January 2023, 9 February 2023

Appendix A - Finance report

**Silverdale Parish Council
Payments Schedule October 2022**

DATE	REF/ Chq no	PAYEE	DESCRIPTION	Net	VAT	AMOUNT £
13/10/2022	173	Business Enterprise Support Limited	Room hire	20.00	0.00	20.00
13/10/2022	174	Keele SU Trading Limited	Silverdale PC newsletter	310.49	0.00	310.49
13/10/2022	175	Salary	October 2022	604.09	0.00	604.09
13/10/2022	176	Expenses	Expenses (Mileage, stationery and Zoom subscription)	73.53	2.40	75.95
13/10/2022	177	Mr H Adamczuk	Printing	122.28	24.46	146.74
		TOTAL		1130.39	26.86	1157.27

**Silverdale Parish Council
13 October 2022
Report of Chair**

Walley's Quarry Abatement Order 2022

Newcastle Borough Council issued the following statement on 6 October:

1 Walleys Quarry Ltd (WQL) have withdrawn their appeal. This means that the council's objective of having a legally enforceable Abatement Notice in place has been achieved. This is the best enforcement outcome that would have been possible to achieve in court.

2 There has been one minor amendment to the Abatement Notice. The map of the area covered by the abatement notice has been amended to exclude the site itself, however the effect of the original notice outside of the site remains unchanged. All land and property protected by the original notice remain covered in the amended notice. This change was made as WQL are only required to abate the nuisance off site.

3 The agreement recognises that various plans which WQL have in place (for example; Phasing and Capping Plan; Gas Management Plan) currently represent Best Practical Means (BPM). BPM is a set of plans and processes that should, if followed, prevent unacceptable levels of odours occurring. The council has accepted this on the advice of its specialist advisors who have undertaken a considerable amount of detailed work in reviewing WQL's plans including critical challenge to WQL's experts. This agreement also reflects the significant reduction in odours in recent months.

4 The agreement recognises that what constitutes BMP changes over time, and it is for WQL to maintain BPM and demonstrate to the council that they are meeting BPM requirements at all time.

5 The agreement commits the council and WQL to engage constructively and in good faith with one another, and for WQL to share information with the council relating to BPM, and for council officers to have access to inspect the site from time to time. This will allow the council to maintain an understanding as to whether the policies, procedures and practices adopted the WQL remain consistent with BPM over time.

6 The agreement commits WQL to specific measures relating to Community Engagement, including: publishing its operational plans, providing advance notification of activities on site which might give rise to odours in the community, refreshing the Liaison Committee , and publishing recordings of its meetings online.

7 It reflects the council's intention to continue monitoring H2S levels in the community, WQL have agreed to pay the council £60,000 towards this activity, in addition to £400,000 towards the council's costs incurred in responding to the appeal.

Comment of Chair

The size of the borough's control of the operator and the subsequent odour nuisance is covered by the definition of 'Best Practical Means' in the context of an active landfill site. The agreement paragraphs 1-6 appear to be a compromise in terms of the controls applied on waste disposal by the council on the operator.

The agreement paragraph 7 restricts the fees paid by the Borough Council in pursuing the court case, but it is unclear how much has been spent in total by taking the operator to a point *before* the actual court date ie finding a mutually beneficial legal agreement.

There is an unpublished section to cover non-disclosure. We cannot find out what that says so Silverdale PC therefore should consider asking for clarification from Newcastle Borough Council on the actual total spend of the court case covering litigation and all other 'concomitant' fees, such as consultancy advice of a technical or legal nature.

RESOLUTION

Silverdale Parish Council

1.asks the Borough Council for clarification on the total amount of legal and associated consultancy fees paid by the borough council for litigation covering the Abatement Order against Walley's Quarry Ltd. and

2.how is the term 'Best Practical Means' applied in the circumstances of a landfill site with a permit under the Environment Agency with an upper limit of 400,000 tonnes of waste per annum? In other words, where does the ultimate control over the landfill operation reside after the agreement and for how long does that apply?

Note

What is Best Practicable Means (BPM)?

This is a phrase defined in the legislation, which is a defence against a statutory nuisance. In so far as, if a company can demonstrate that they are operating with current best practice procedures operations and controls, it is a defence in law against nuisance action.

Ward Report to Silverdale Parish Council

Date 11.10. 2022

Councillor: Jacqueline Brown

Number of cases: 19 Number resolved: 12 and 1 reopened

Number ongoing: 7

Planning & housing: NULBC Planning committee, 11th Oct 2022 Section 106 money that remains unpaid for the Silverdale Sidings was voted by councillors to keep this item on the agenda

until it is resolved. I was therefore surprised to see it was not on the agenda and I have asked a fellow councillor to raise it. Verbal update to follow.

I had a meeting with the Silverdale rep from Aspire, Nicola MacMillan on 8th September, Lee Matthews was also present. We discussed the outstanding cases that need attention. These include ground's maintenance, rear access of terraced properties, facilities at the parade area and a blocked drain at the Brightons. I did receive an update from Lee regarding the drain which was being handled by Jackie Kerrigan of Aspire. It has been reported to Staffs CC who designated it as 'low priority' and I have the case number to chase it up. It was explained that there had been some reorganisation at Aspire in terms of role holders. Lee Matthews attended the LAP meeting on 7.10.22 and updated us on all the cases. There was a 'lukewarm reception' to the idea of a one-time clean-up of the alley between Church St & Vale St. However, NULBC have suggested a way forward working with Andrew Bird and Aspire in partnership. Lee said the wild flower meadow at the front of the Dell only will be cut down in November. Residents who live behind it would like assurance that it will be re-laid to lawn and not allowed to grow back. He also told us about the Aspire Community Day which has been rearranged for half term for Wed 26th Oct 11-2pm at the Parade.

Environment: As residents would like to see the parade toilets reopen and the pavilion building brought back into use, e.g. a community hub & café, I have been discussing options with the Parish Council Chair and investigating possible funding streams e.g. through the Coalfield Regeneration Trust. Obviously, a large amount of funding will be required. We also discussed the former bowling green and possible repurposing. I have been given a contact at the council to work on this, Rebecca Allen. I will also liaise with councillors from Kidsgrove who have been successful with a similar project.

I am pleased to report the rescheduled meeting regarding the former Keele Golf Course by Save Our Green spaces and all stakeholders will take place on Thurs 20th October at 7pm in Keele Village Hall. The agenda will include an update on planning/housing issues, S.O.Gs approach to the consultation in Spring 2023 and publicity & PR.

Walley's Quarry I received an email on 6.10.22 from Dave Adams of NULBC telling me that an out of court settlement had been made between the council and Walley's Quarry. An Abatement Notice is now in place requiring WQL to abate the odour nuisance off site, and to prevent a re-occurrence of a Statutory Nuisance. Obviously, this news can be seen positively i.e. an admission of culpability but there are still a number of questions to ask including how much, in real terms, action to this point has cost the council and also the decision to exclude the site itself from abatement measures i.e. only the areas outside the site will be measured. F.A. Qs are available on the NULBC website and the Labour group and other stakeholders are studying the details and formulating responses as I write.

I attended the Stop the Stink support group coffee morning on Sat 8th Oct. I was able to discuss the latest developments with residents. The organisers of the group also showed me around a community garden they are hoping to develop and extend including the purchase of a polytunnel.

Streets & Highways: On 1.10.22 a new resident complained about parking in Church St. and I informed her of this being classed as highways under Staffs CC and gave her Cllr. Huckfields contact number. During my letter box deliveries of newsletters, I saw for myself the difficulties with parking in the Madeley st/Kinsey st area.

Waste & Litter I am continuing to work on the waste that accumulates around the back of the library and parade shops. I have also been contacted about a local business on Cemetery Rd which has a very untidy appearance for anyone driving in and out of Silverdale as it is on the main road. I have been given a contact at NULBC who deals with businesses and will report progress asap.

Anti-social behaviour: Anti-social behaviour around the parade continues to be reported by residents, continuing after the return to school in September, and I am hoping to discuss measures we could take e.g., anti-vandal paint/ signage/CCTV etc. I will also raise this with NULBC. During the meeting with Aspire Nicola McMillan said they are working with the Co-op to ensure a suitable lock is put on the gates which link the area and I am waiting on an update on this. She also informed me that CCTV at the shops can be used to identify persistent offenders. PCSO Neil Moffat and I will hopefully be meeting this week virtually, verbal report to follow.

Highs

I am pleased to report I have been able to get a housing needs assessment for a young disabled resident. This has been arranged through the GP prescriber scheme. This young man has been in the same unsuitable accommodation for 20 years and could not get any help because he no longer had a social worker

Lows

At full council meeting on 28.9.22 Labour lost the Fair Tax and the End Fire & Rehire motions 24 votes to 17. I seconded the Fair Tax motion and was particularly concerned by the strong reaction against this by Tory councillors. This has to be seen in the wider lens e.g., council failing to collect the 106 community levy from its business clients and the fact that no checks are made, in terms of tax conduct, of the companies the council does business with.

General Comments

- My usual surgery on the 8th Oct had to be replaced by home visits as the library is no longer available on Saturdays. We are very pleased to have been offered the use of a small, private room at Silverdale Methodists. Surgeries will be the first Sta of every month at 10am. Next one Sat 5th November.
- I have continued to work alongside volunteers at Silverdale Library. I met with staff from Silverdale Primary school regarding parents and children from Nursery & Reception coming to our story sessions. We had our first session on Mon 10th Oct attended by nursery children, parents & staff. We also had 2 extra mothers who came with their preschool children.
- I have been invited to attend a Q&A session with Yr.3&4 pupils at Silverdale Primary school on 13.10.22. The subject will be 'the role of a borough councillor'. I am hoping to approach this under the theme of 'People who help us'.
- I have produced a Silverdale Labour Newsletter for Autumn which has been delivered to two rounds. Only 11 rounds to go! At the time of writing. I also put one in the library.
- A weekly update of my activities in Silverdale can be found on F.B. page Councillor Jacqueline Brown in Silverdale.

Cllr. Rupert Adcock Silverdale Parish Council Report 13.10.22

Walleys Quarry

The council's abatement notice now stands. We also welcome the financial settlement and the commitment to more transparency and information sharing.

It is now more likely that Borough Councillors will attend the WQ Liaison Committee. This will be discussed between the group leaders.

It is important that residents are made aware that they can also complain to the Borough Council as well as the EA as we now have the legal powers to hold against them. We will try to communicate this best we can on the council.

I have been in communication with Cllr Tagg and Aaron Bell MP about how to ensure that we work together to hold the site and the EA to account, especially given there are still two ongoing EA investigations into the site which remain unresolved. He has assured me that he has already been in touch with the new Waste Minister, Environment Secretary and Prime Minister about this issue.

I attended a meeting of Walleys Quarry Victim Support Group on Saturday and heard from residents how much this has affected their physical and mental health. I join Aaron Bell and others in calling for compensation for those affected.

Anti-social behaviour

I met with PCSO Moffat at the Methodist Church community morning (great event!) and discussed the ongoing problems on the Parade with shoplifting and general ASB on Silverdale Park. We also discussed the ongoing issue with motorbikes, he confirmed that this has improved since Summer but remains an occasional issue especially with bikes accessing land through Pepper Street and through the Golf Course. We agreed to keep in contact on the issue to see if there is anything else the council can do to support their work.

Highways

I have received complaints from residents about on street parking and traffic on Underwood Road and they have raised concerns about a HMO and proposed developments impacting this further. I have passed on concerns to Cllr Huckfield.

Community Fund and Climate action fund

Both County Council funds are available for groups to apply for, these can be sponsored by Cllr. Huckfield. I have helped a local group to seek funding for a potential community garden.

Tree Planting

As Vice Chair of Health, Wellbeing and Environment Committee, I have met with Cllr. Wilkes about our work programme for the upcoming meetings. I have asked the officers to give us an update on tree planting schemes, which sites are being considered (including in Silverdale), what types of trees will be planted and how these will be maintained.

Fire Station Visit

I was pleased to attend a tour of the Newcastle Fire Station with fellow Councillors. They are pleased to offer guided tours to any interested groups and schools and offer a meeting space.

Parks

I welcome the new tennis net at Silverdale Park as I know this is something many residents including myself had been contacting the council about. I have raised the issue of the broken swing.

Other activities

I have received a complaint from a resident that a vacant home they own in Parksite is being charged extra Council tax despite being in an unfit state for habitation. I am helping to progress her case with the Council Tax Valuation Office and hope to have this property removed from tax.

I was pleased to second a motion in Council to support the proposed Electricity Bill aiming to incentivise smaller local renewable energy suppliers to enter the market. This received unanimous support.

Signed Date