

# PRESTON BROOK PARISH COUNCIL

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To: **Members of Preston Brook Parish Council**

Dear Councillor,

You are hereby summoned to attend the Annual Meeting of Preston Brook Parish Council to be held at 20.30 on the twenty-seventh day of May 2025 to transact business on the agenda.

The meeting will be held in Preston Brook Village Hall, Sandy Lane, Preston Brook, Runcorn, Cheshire, WA7 3AW.

## **Note to Councillors:**

*If you are unable to attend the meeting, please notify the Proper Officer of your apologies.*

## **Note to Public:**

*Members of the public wishing to address the Council are advised to notify the Proper Officer before 10:00 on the day of the meeting outlining the representation they wish to make. Permission to speak at the meeting will be at the discretion of the Council. Public participation session at a meeting shall not require response or debate and should focus on matters relating to items on the agenda. All participants are restricted to a maximum of three minutes. Please note that the Council may not be able to answer any questions on a particular topic if the council has not considered or resolved the matter at a prior meeting. Should this be the case, the Council will advise correspondence with the Proper Officer to request the item be debated at a future meeting. If the question is considered outside the remit of Preston Brook Parish Council, residents will be referred to Halton Borough Council or another appropriate body.*

Yours sincerely,



Luke Trevaskis  
Proper Officer

TO CONTACT THE PROPER OFFICER, PLEASE EMAIL  
[clerk@prestonbrookparishcouncil.gov.uk](mailto:clerk@prestonbrookparishcouncil.gov.uk)

## AGENDA

### 1. Election of Chairman

To duly elect a Chairperson for the 2025-2026 Civic Year.

Following the election, the Chairman will make the following statement:

*"I, (state name) having been elected to the office of Chairman of Preston Brook Parish Council declare that I take that office upon myself and will duly and faithfully fulfil the duties of it according to the best of my judgement and ability. I undertake to observe the code of conduct which is expected of members of Preston Brook Parish Council."*

### 2. Election of Vice Chairman

To duly elect a Vice Chairperson for the 2025-2026 Civic Year.

Following the election, the Vice Chairman will make the following statement:

*"I, (state name) having been elected to the office of Vice Chairman of Preston Brook Parish Council declare that I take that office upon myself and will duly and faithfully fulfil the duties of it according to the best of my judgement and ability. I undertake to observe the code of conduct which is expected of members of Preston Brook Parish Council."*

3. **Apologies** - to receive apologies for absence.

4. **Declarations** - to record declarations of members' interests of a pecuniary or non-pecuniary nature in accordance with the Localism Act 2011 (Sections 26-34 and Schedule 4) relating to the business of the meeting and note any dispensation requests received by the Proper Officer.

5. **Minutes** - to receive and confirm the minutes of the last meeting.

6. **Police** - to receive and note a report on local crime statistics.

7. **Public Realm** - to receive an update on public realm projects and agree actions.

- i) To note that the additional sandstone boulders have now been positioned.
- ii) To note that the designs for the Village Hall finger post are expected in June.
- iii) To agree a scope of works to be undertaken at Bridgewater Grange, in line with the Council's new budget, including commencement date, timelines, and contractor.
- iv) To note that the results of the survey undertaken on the Horse Chestnut tree are expected to be received in June.

### 8. Financial Regulations

i) It is proposed to amend Section 4.1 and Section 4.5 of the Financial Regulations to read:

*Section 4.1:*

*"the Proper Officer - with delegated authority to incur expenditure, following consultation with the Chairman up to £10,000, including but not limited to the commencement of judicial review proceedings against Halton Borough Council, or other legal actions, especially in relation to any planning matters or applications which pose an adverse risk, or detriment, to the community. It is not that this expenditure is not limited solely to items of urgency in nature, and this authority can indeed extend to all matters of council business should it be so required."*

*Section 4.5:*

*"In cases of extreme risk to the delivery of council services, the Proper Officer may authorise revenue expenditure on behalf of the council which in the Proper Officer's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £10,000. The Proper Officer shall report such action to the chairman as soon as possible and to the council as soon as practicable thereafter."*

## 9. Planning

- i) To receive an update regarding Planning Application 25/00107/OUT (94 Dwellings at Hilltop Farm)
- ii) To receive an update regarding Planning Application 22/00493/OUT (17 Dwellings at Summer Farm)

## 10. S106 Agreement - Chester Road Development (22/00203/FUL) 136 Homes

The Parish Council has successfully secured critical amendments to the Section 106 (S106) legal agreement relating to the Morris Homes development north of Chester Road. This follows a sustained effort by the Proper Officer, Chairman, and members of the Parish Council to challenge the wording of both Halton Borough Council's Development Committee minutes and the subsequent S106 agreement made, which risked diverting developer contributions outside the Parish, contravening the sentiments of Halton BC's members at its January meeting.

Key outcomes:

- The Deed of Variation, executed on 13 May 2025, now explicitly limits the use of off-site open space funds to Preston Brook only. All references to neighbouring parishes and the wider Runcorn area have been removed.
- The updated definition in the Second Schedule aligns fully with the Council's understanding of the committee's resolution on 28 January 2025, and the recorded meeting evidence provided by the Council has been decisive in ensuring accuracy.
- The Parish's request for transparency, via FOI and direct correspondence, has ensured full public access to both the original S106 and the corrected Deed of Variation.

While Halton Borough Council has confirmed the corrected documentation now reflects members' intent, concerns remain around the late timing of disclosure, which occurred only days before a potential legal challenge.

**It is recommended that the Council submits a formal response via our solicitor to:**

- **Thank Halton BC for the corrected agreement;**
- **Highlight the procedural flaws and lack of timely engagement;**
- **Request a formalised communication process moving forward.**

**It is also recommended that the Council a planning consultant, and counsel, to:**

- **Draft a response to challenge the position held by Halton BC's officers, and their interpretation of the wording within Halton's Local Plan, which purport that where potential development land has been removed from the Green Belt, any such S106 monies arising from a development, should be reserved for other areas of extant Green Belt under the ownership and/or jurisdiction of Halton BC.**

**It is further recommended that the Council approach contractors to:**

- **Develop proposals which can be submitted to Halton BC when a call for ideas is made - with the aim of ensuring the best possible outcome is achieved for the Parish in undertaking projects within the scope of the S106 monies, and to ensure the proposals have the best chance of success.**

This matter reflects the Parish Council at its best - diligent, legally informed, and unafraid to challenge where necessary. Officers and members have acted with discipline, clarity, and unity, securing a material benefit for Preston Brook residents and demonstrating the Parish's capability to hold larger authorities to account.

This is a clear demonstration of the Council's role as a strong advocate for the local community, and a reminder that proper scrutiny and collaborative pressure, when applied constructively, deliver tangible results - in this case, a sum of £133,431.24 to be paid towards off-site public open space projects within the Parish of Preston Brook.

The Council will continue to monitor implementation of the S106 agreement, and where necessary, assert its legal position to protect the Parish's interests. Members are asked to note the update and endorse the next steps. The

Council will continue to advocate for favourable S106 terms as future proposals for development in the parish come forward.

**11. Neighbourhood Plan**

- i) To review and accept the draft Terms of Reference for the Neighbourhood Plan Steering Group.
- ii) To consider dates for FY2526 Neighbourhood Plan Steering Group meetings.

**12. ChALC / NALC**

- i) To note that the Council is still awaiting a response from NALC in relation to the motions the authority submitted to be heard by member councils, which were deemed not acceptable as proper motions by the ChALC Board.
- ii) To note that requests have been submitted to other parish councils in the area to discuss shared challenges and opportunities.
- iii) To receive an update from Cllr Cathy Murray regarding Executive Board meetings, and consider any motions to put forward for the Annual Meeting.

**13. 250th Anniversary of the Bridgewater Canal Tunnel**

- i) To receive an update regarding the 250th anniversary celebration of the Bridgewater Canal tunnel.

**14. Borough Councillor Report** - to receive a report from ward councillors regarding issues affecting residents within the boundary of Preston Brook PC.

**15. Next Meetings** - to note the next meetings will be held on 24 June 2025, 22 July 2025, and 23 September 2025.

**16. Public Forum** - to consider representations from members of the public which have been submitted to the Proper Officer by 10:00 on the day of the meeting and to note each representation is restricted to three minutes.