

**MINUTES OF THE ANNUAL MEETING OF
MALPAS PARISH COUNCIL
HELD ON MONDAY 13TH MAY 2019 IN THE JUBILEE HALL AT 7 PM**

<p>PRESENT Cllrs Adrian Waddelove (Vice Chairman), Tina Barnett, Mike Boxall, William Darlington, Roma Hancock, Michelle Lloyd, Charles Lowick Higgle, Karen Meredith, George Mifsud, Enric Sabia Picton Hughes, John Webb, Chris Whitehurst, Michael Williams, The Clerk. Three members of the public attended part of the meeting.</p>	
<p>1 APOLOGIES Cllr. Richard Charlton</p>	
<p>2 DECLARATION OF INTERESTS All Councillors signed the Declaration of Acceptance of Office; Notification of Interests are to be submitted by the end of May. Cllr Whitehurst declared a non-pecuniary interest in items 15.6, 15.8, 15.10 and 31 of the minutes. Cllr Whitehurst applied to the Council for dispensation to speak and take part in item 31 of the minutes. The dispensation was granted. Cllr Waddelove declared a non-pecuniary interest in item 15.1 of the minutes. Cllr Lowick Higgle declared a non-pecuniary interest in items 31 of the minutes. Cllr Lowick Higgle applied to the Council for dispensation to speak and take part in item 31 of the minutes. The dispensation was granted. Cllr Meredith declared a pecuniary interest in item 15.6 of the minutes. of the minutes. Cllr Webb declared a non-pecuniary interest in item 15.4 and 15.6 of the minutes.</p>	
<p>3. ELECTION OF CHAIRMAN FOR 2019 – 20 Resolved:- Cllr Charlton was proposed for the position of Chairman by Cllr Lowick Higgle and seconded by Cllr Hancock. Cllr Charlton was duly elected as Chairman for 2019 – 20 and is to sign the acceptance of office declaration.</p>	
<p>4. ELECTION OF VICE CHAIRMAN FOR 2019 - 20 Resolved:- Cllr Waddelove was proposed for the position of Vice Chairman by Cllr Barnett and seconded by Cllr Whitehurst. Cllr Waddelove was duly elected as Vice Chairman for 2019 – 20 and signed the acceptance of office declaration.</p>	
<p>5. ADOPTION OF CODE OF CONDUCT Resolved:- The Council agreed to adopt the Code of Conduct for Members adopted by Cheshire West and Chester Council on 26 July 2012 and attached at (Appendix A) as the council’s code of conduct under section 27(2) and 27(3) of the Localism Act 2011. Proposed by Cllr Lowick Higgle and seconded by Cllr Webb.</p>	
<p>6. CHAIRMANS REPORT See attached for Chairman’s Report. The Council thanked Cllr Webb for the past year as Chair.</p>	
<p>7. STANDING ORDERS Resolved: - The Council agreed to the adoption of the Standing Orders. Proposed by Cllr Webb and seconded by Cllr Lowick Higgle.</p>	

8. FINANCIAL REGULATIONS

8.1 Adoption of Financial Regulations:-

Resolved: - The Council agreed to defer the adoption of the Financial Regulations further to a meeting of the Internal Procedures Working Group.

8.2 Appointment of Ruth Shackleton as the Responsible Financial Officer:-

Resolved: - The Council agreed to the appointment of Ruth Shackleton as the Responsible Financial Officer. Proposed by Cllr Webb and seconded by Cllr Whitehurst.

8.3 Appointment of Phil Sanders as the Internal Auditor:-

Resolved: - The Council agreed to the appointment of Phil Sanders as the Internal Auditor. Proposed by Cllr Webb and seconded by Cllr Whitehurst.

8.4 Appointment of Bank Signatories:-

Resolved: - The Council agreed to the appointment of Cllrs Hancock, Lowick Higgle, Barnett, Meredith and the Clerk Ruth Shackleton as Bank Signatories. Proposed by Cllr Webb and seconded by Cllr Whitehurst.

9. APPROVAL OF THE MINUTES

Resolved: - Item 279 was amended to include "Cllr Lowick Higgle made reference to car parking in his borough council election leaflets". The Vice Chairman then signed the minutes of the Parish Council meeting that was held on 8th April 2019 as a true and proper record. Proposed by Cllr Webb and seconded by Cllr Whitehurst.

10. OPEN FORUM

The following issues were raised during Open Forum:-

- Patrick Lomax spoke to the meeting in respect of planning applications 19/00919/S73 - Variation of condition 2 on planning permission 16/04643/S73, to amend plots 14-17 from semi-detached to a row of terraces and amend house design of plots 18 and 19 at Land Opposite West End Cottage Church Street Malpas and 19/00793/FUL - Erection of 4 dwellings with garages and associated infrastructure works at Land at Berwyn View Malpas.

11. POLICE REPORT

In the absence of the police there was no consideration of this item.

12. ACCOUNTS

12.1 Payments Approved:-

Chq No	Payee	Statutory Power	Amount
243	Running Costs	s.111	£ 82.65
244	Then Media (website maintenance costs)	s.111	£ 439.20
245	CHALC - The Good Councillors Guide	s.111	£ 60.00
246	CHALC - Annual Subs	s.111	£ 648.00
247	Well Farm Estate Joinery (repairs to Bus Shelter)		£ 698.57
248	Victoria Jubilee Hall	s.111	£ 64.00
249	Unipar Services LLP (speed gun)		£1,215.00
250	Zurich Municipal (insurance)	s.111	£ 699.23

The Clerk's salary was paid by standing order.

Receipts Received:-

Precept:- £25,000.00

CIL:- £ 11,278.75

Bank Account:-

The reconciled balance in the current bank account as at 1st April 2019 was £53,404.03.

. The funds are allocated as follows:-

- Parish Council - £16,475.20
- Christmas Lights Funding - £145.07
- New Homes Bonus - £31,893.00
- Allotments (balance of £3,600 transferred from NHB allocation) - £1,114.77
- Allotment Deposits (ring fence in accounts) - £650.00
- Neighbourhood Plan - £727.42
- Grant for Speed Gun - £600.00
- Insurance claim - £1,798.57

Resolved: - The Council agreed to the above payments. Proposed by Cllr Lowick Higgle and seconded by Cllr Webb.

12.2 To approve payment of Insurance:-

The Council considered the insurance policy.

Resolved: - The Council agreed to approve payment of insurance. Proposed by Cllr Lowick Higgle and seconded by Cllr Webb.

12.3 To approve Financial Risk Assessment:-

Resolved: - The Council agreed to approve Financial Risk Assessment. Proposed by Cllr Webb and seconded by Cllr Lowick Higgle.

13 ANNUAL AUDIT

13.1 Internal Audit:-

The audit has now been completed and has been sent to the internal auditor.

13.2 To approve the Annual Governance Statement (see Attachment C): -

Resolved: - The Council accepted and signed the Annual Governance Statement for the year ended 31st March 2019 for the purpose of the External Audit. Proposed by Cllr Lowick Higgle and seconded by Cllr Webb.

13.3 To approve the Annual Return for year ended 31st March 2019: -

Resolved: - The Council accepted and signed the Annual Return for the year ended 31st March 2019 for the purpose of the External Audit. Proposed by Cllr Lowick Higgle and seconded by Cllr Webb.

14 ELECTION OF REPRESENTATIVES

Burial Board	Cllrs Hancock, Waddelove
Cheshire Assoc. of Town and Parish Councils	Cllrs Charlton, Darlington and Lowick Higgle
Recreation Ground Committee	Cllrs Whitehurst and Lowick Higgle
Young Persons Project	Cllr Williams
Planning Steering Group	All Cllrs who are available to attend
Victoria Jubilee Hall Committee	Cllr Lloyd
Financial Scrutiniser	Cllr Boxall
Internal Procedures Working Group	All Cllrs who are available to attend
Community Minibus	Cllr Meredith

Resolved:- The Council agreed to the above election of the above representatives. Proposed by Cllr Webb and seconded by Cllr Meredith.

15 GRANTS

The Council has allocated up to £8,000.00 plus £1,000.00 that was not used in the 2018 – 19 financial year towards grant payments for the current financial year and has received grants requests totalling £13,927.62.

Resolved:- The Council considered each grant request and agreed to the following amounts. The Council agreed in principle to support the grant application for the proposed fireworks display and event at Malpas Sports Club and agreed to invite the applicant to attend the June meeting for more information. A named vote took place and all Cllrs agreed in principle to support the grant application apart from Cllr Waddelove who voted against and Cllr Whitehurst who abstained from voting.

Organisation	Purpose of Grant	Grant Awarded	Proposed By	Seconded By
15.1 Malpas Cricket Club	Improvement of netting practice area	£850.00	Cllr Lowick Higgle	Cllr Webb
15.2 Malpas High Street Church	Regeneration of Burial Ground adj to St Oswalds	£1,000.00	Cllr Hancock	Cllr Waddelove
15.3 Jubilee Hall	Purchase Tables	£492.60	Cllr Webb	Cllr Barnett
15.4 Young Persons Centre	Ongoing costs	£3,000.00 (to be paid in two instalments)	Cllr Whitehurst	Cllr Waddelove
15.5 Minerva Arts Project	Summer Project	£388.00 (towards cost to hire YPC)	Cllr Whitehurst	Cllr Waddelove
15.6 Malpas Community Minibus	Insurance	£1,000.00	Cllr Lowick Higgle	Cllr Hancock
15.7 ATC	Archery Equipment	£500.00	Cllr Webb	Cllr Barnett
15.8 CLT	Towards the cost to install noticeboard	£500.00	Cllr Lowick Higgle	Cllr Webb
15.9 Malpas Sports Club	Provide fireworks display and event – to invite to meeting for further information	TBC		
15.10 Malpas Village Fair Committee	Road closure for event	£535.00	Cllr Waddelove	Cllr Meredith

<p>16 INTERNAL PROCEEDURES The working party are to set a date to work through the Council procedures This will include a review of the Standing Orders, Financial Regulations, Complaints Procedure and Social Media Policy.</p>																	
<p>17 CHESHIRE COMMUNITY ACTION Resolved: - The Council agreed not to join Cheshire Community Action. Proposed by Cllr Webb and seconded by Cllr Meredith..</p>																	
<p>18 PARISH COUNCIL PRIORITIES The Council agreed to hold an informal meeting of councillors to discuss priorities, Neighbourhood Plan and finances.</p>																	
<p>19 SURGERY ROTA To receive update from May surgery:-</p> <table border="1" data-bbox="129 636 1382 1160"> <thead> <tr> <th data-bbox="129 636 568 674">ISSUE</th> <th data-bbox="568 636 1382 674">CONCERNS RAISED AND ACTION TAKEN</th> </tr> </thead> <tbody> <tr> <td data-bbox="129 674 568 748">(i) State of Road</td> <td data-bbox="568 674 1382 748">On the Whitchurch Road near the junction by the Horse and Jockey.</td> </tr> <tr> <td data-bbox="129 748 568 822">(ii) New Ward Councillor</td> <td data-bbox="568 748 1382 822">Several residents congratulated Rachel Williams on being elected as the new ward councillor.</td> </tr> <tr> <td data-bbox="129 822 568 934">(iii) Tilston Road</td> <td data-bbox="568 822 1382 934">Concerns raised regarding safety of children crossing the road by the school and a request made to close the entrance to the school on Tilston Road.</td> </tr> <tr> <td data-bbox="129 934 568 972">(iv) Springfield Road</td> <td data-bbox="568 934 1382 972">Ongoing problems with state of property.</td> </tr> <tr> <td data-bbox="129 972 568 1084">(v) Posters</td> <td data-bbox="568 972 1382 1084">Complaint regarding the posters advertising the soccer school at the Bishop Heber that haven't been taken down.</td> </tr> <tr> <td data-bbox="129 1084 568 1122">(vi) Dog Waste Containers</td> <td data-bbox="568 1084 1382 1122">Complaint received.</td> </tr> <tr> <td data-bbox="129 1122 568 1160">(vii) Kerbs</td> <td data-bbox="568 1122 1382 1160">Faulty kerbs outside Barlows.</td> </tr> </tbody> </table>	ISSUE	CONCERNS RAISED AND ACTION TAKEN	(i) State of Road	On the Whitchurch Road near the junction by the Horse and Jockey.	(ii) New Ward Councillor	Several residents congratulated Rachel Williams on being elected as the new ward councillor.	(iii) Tilston Road	Concerns raised regarding safety of children crossing the road by the school and a request made to close the entrance to the school on Tilston Road.	(iv) Springfield Road	Ongoing problems with state of property.	(v) Posters	Complaint regarding the posters advertising the soccer school at the Bishop Heber that haven't been taken down.	(vi) Dog Waste Containers	Complaint received.	(vii) Kerbs	Faulty kerbs outside Barlows.	
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<p>20 PLANNING</p> <p>20.2 <u>Applications:-</u> 19/00311/FUL - Alternative design and siting for dwelling and annexe on Plot 9 - amendment to application 18/01617/FUL at St Joseph's College Tilston Road Malpas SY14 7DD See attached for observations.</p> <p>19/00919/S73 - Variation of condition 2 on planning permission 16/04643/S73, to amend plots 14-17 from semi-detached to a row of terraces and amend house design of plots 18 and 19 at Land Opposite West End Cottage Church Street Malpas See attached for observations.</p> <p>19/00793/FUL - Erection of 4 dwellings with garages and associated infrastructure works at Land at Berwyn View Malpas See attached for observations.</p> <p>17/04664/OUT - Residential development for up to 57 dwellings, the provision of a Community Health Hub and open space at Land Off Chester Road Malpas 19/01250/FUL - Single storey rear extension at Stoneyhurst 5 Hollowood Road Malpas See attached for observations.</p> <p>19/01497/HED - Hedgerow removal (7m x 3m) to allow temporary construction access to Malpas Service Reservoir to enable upgrade works to be undertaken at Access Road Off Chester Road Malpas</p>																	

See attached for observations.

19/00311/FUL - Alternative design and siting for dwelling and annexe on Plot 9 - amendment to application 18/01617/FUL at St Joseph's College Tilston Road Malpas

See attached for observations.

Resolved:- The Council agreed to the above observations. Proposed by Cllr Webb and seconded by Cllr Lowick Higgle.

20.3 To consider any applications received after the agenda has been distributed:-
None have been received.

20.4 Recent decisions by CW&C:-
Approved:-
None have been received.

20.5 To receive planning updates:-
Nothing to report.

20.6 Bovis Development:-
A meeting has been arranged with Bovis later this week to discuss concerns previously raised.

20.6 Chester Road Development:-
No further update.

21 HIGHWAYS

21.1 Traffic Calming:-
No update for request for traffic calming on Whitchurch Road and Old Hall Street

21.2 Parking on pavements:-
With regards to the introduction of bylaws CW&C have advised:-
Footway parking is a regular source of complaint across the borough, but it is very difficult to take action against the driver due to the absence of any legislation outside London making footway parking a specific offence. It can be assumed that parking fully on the carriageway is perceived to be likely to cause an obstruction to other motor vehicles, and hence it has become customary to park partly on the footway, without very much consideration to the needs of the pedestrian or those with mobility difficulties.
While Traffic Regulation Orders to prohibit waiting on footways can be introduced at specified locations, this can lead to other problems if parked vehicles were displaced wholly onto the carriageway. Parking in this manner could obstruct the passage of vehicles, and would prevent large emergency service vehicles and delivery vehicles from gaining access. Put simply, many streets were never designed to accommodate the volume and size of modern vehicles.
It is however an offence to cause or permit an unnecessary obstruction of a road, and this may be applicable if a vehicle was parked in a manner as to obstruct the passage of pedestrians. In these situations, the Police can take action and the Parish Council may wish to bring any incidents of this nature to their attention.

21.3 Traffic on Greenway Lane:-
The Council has received complaints about vehicles using Greenway Lane - increased volume and the speed of vehicles. This has been reported to the police who have advised when possible Police will look to educate /enforce as necessary.

22 ALLOTMENTS

It has been confirmed that planning permission for polytunnels is not required.

Resolved:- the Council agreed for polytunnels to be permitted at the allotments. Proposed by Cllr Lowick Higgle and seconded by Cllr Waddelove.

23. APPEARANCE OF MALPAS	Orders have been placed for flowers to refill the planters and for twenty hanging baskets on behalf of businesses in the village. Patrick Lomax is due to complete the repairs to the steps next to the Cross.
24 COMMUNITY SPEEDWATCH	Volunteers are required to operate the speed gun.
25 BUS SHELTERS	The repairs have been carried out at the bus shelter on Chester Road. No update for the replacement bus shelter on Old Hall Street.
26 THE CROSS	The new Council need to decide regarding the scheme of improvement for The Cross.
27 CLERK'S REPORT	
(i) Speed gun	Order placed and received; this has been added to insurance policy
(ii) Dog bags	Email sent to the Dog Warden to enquire about installing poo bag dispensers at various locations throughout the village.
(iii) Good Councillor Guide	16 copies have been ordered.
(iv) Blocked Grids	Located in High Street are to be reported to Highways and request road closure for work to be carried out.
(v) Village entry signs	Cllr Whitehurst has met with Highways who have assessed the Sunnyside sign as being within the prescribed highway visibility requirements. However, Highways have agreed to add extensions to the existing posts to lift the height of the sign. Highways also agreed to move the Chester Road sign to the other side of the carriageway and slightly further away from Malpas.
28 EXTERNAL CORRESPONDANCE INCLUDING SUGGESTION BOX	List previously circulated to Cllrs.
29 UPDATES FROM OUTSIDE ORGANISATION REPRESENTATIVES	Nothing to report.
30. PRESS AND PUBLIC	Resolved:- To resolve to exclude the press and members of the public. Proposed by Cllr Waddelove and seconded by Cllr Webb.

The meeting closed at 9.50 p.m.

NB copies of the attachments can be obtained from the Parish Clerk

Website:- <http://www.malpascheshire.org/>