

**MINUTES OF MALPAS PARISH COUNCIL  
HELD ON MONDAY 8<sup>TH</sup> JULY 2019 IN THE JUBILEE HALL AT 7 PM**

<b>PRESENT</b> Cllrs Richard Charlton (Chairman), Tina Barnett, Mike Boxall, Roma Hancock, Karen Meredith, Enric Sabia Picton Hughes, John Webb, Chris Whitehurst, Michael Williams. The Clerk. Five members of the public attended part of the meeting.			
<b>65 APOLOGIES</b> Cllrs William Darlington, Michelle Lloyd, Charles Higgie, George Mifsud, Adrian Waddelove.			
<b>66 DECLARATION OF INTERESTS</b> Cllr Whitehurst declared a non-pecuniary interest in item 93 of the minutes. Cllr Whitehurst applied to the Council for dispensation to speak and take part in item 93 of the minutes. The dispensation was granted. Cllr Meredith declared a non-pecuniary interest in item 76.1 of the minutes.			
<b>67 APPROVAL OF THE MINUTES</b> <b>Resolved: - Item 40 was amended to include "Cllrs were advised previously that all Cllrs would be trustees of The Mosslands once the trust deed has been completed". Item 45 was amended to include "Waddelove". The Chairman then signed the minutes of the Parish Council meeting that was held on 10<sup>th</sup> June 2019 as a true and proper record. Proposed by Cllr Webb and seconded by Cllr Hancock.</b>			
<b>68 OPEN FORUM</b> The following issues were raised during Open Forum:- <ul style="list-style-type: none"> <li>• Planning applications 18/02090/FUL and 19/01999/FUL</li> </ul>			
<b>69 POLICE REPORT</b> In the absence of the police there was no consideration of this item. The police report had been previously circulated with a peaceful month reported in Malpas ward.			
<b>70 ACCOUNTS</b> 70.1 <u>Payments Approved:-</u>			
<b>Chq No</b>	<b>Payee</b>	<b>Statutory Power</b>	<b>Amount</b>
264	Running Costs	s.111	£ 42.74
265	Victoria Jubilee Hall	s.111	£ 44.00
266	Walkers Plant Nurseries		£ 222.72
267	GRANT:- Strictly Table & Chairs - Victoria Jubilee Hall	s.137	£ 574.76
268	Honeybee Florists (hanging baskets, reimbursed by businesses)	s.137	£ 380.00
The Clerk's salary was paid by standing order. The VAT return for the 2018 – 19 financial year has been submitted to HMRC. <u>Receipts Received:-</u> None <u>Bank Account:-</u> The reconciled balance in the current bank account as at 1 <sup>st</sup> June 2019 was £77,185.94.			

<p>The funds are allocated as follows:-</p> <ul style="list-style-type: none"> <li>• Parish Council - £30,503.36</li> <li>• Christmas Lights Funding - £145.07</li> <li>• New Homes Bonus - £42,246.75</li> <li>• Allotments (balance of £3,600 transferred from NHB allocation) - £1,114.77</li> <li>• Allotment Deposits (ring fence in accounts) - £650.00</li> <li>• Neighbourhood Plan - £727.42</li> <li>• Insurance claim - £1,798.57</li> </ul> <p><b>Resolved: - The Council agreed to the above payments. Proposed by Cllr Whitehurst and seconded by Cllr Hancock.</b></p> <p>70.2 <u>To receive budget to date figures:-</u> The figures were circulated with a slight amendment regarding receipts. <b>Resolved: - The Council confirmed the budget to date figures. Proposed by Cllr Whitehurst and seconded by Cllr Charlton.</b></p> <p>70.3 <u>To receive update for Insurance Claim:-</u> Correspondence has been received from the claimant's insurers in relation to the liability claim to advise they will be in contact in due course to discuss the claim and any associated works that might be necessary.</p>							
<p><b>71 SOCIAL MEDIA / BREACH OF STANDING ORDERS</b> Cllr Charlton reminded Cllrs of the policy concerning the use of social media.</p>							
<p><b>72 NEIGHBOURHOOD PLAN</b> A review of the Neighbourhood Plan is to take place; it will include the updated parish boundary and green infrastructure. <b>Resolved:- The Council agreed to set up a steering group consisting of Cllrs Whitehurst, Meredith, Boxall, Sabia Picton Hughes and Barnett. The Clerk is to forward the constitution of the previous Neighbourhood Plan steering group. Proposed by Cllr Whitehurst and seconded by Cllr Charlton.</b></p>	<b>RS</b>						
<p><b>73 COUNCILLORS TRAINING</b> CHALC are running training courses for new Cllrs. The Clerk is to contact CHALC to enquire whether there will be any courses held at the weekend.</p>	<b>RS</b>						
<p><b>74 INTERNAL PROCEDURES</b> Work is in progress. A meeting will be held once work has been carried out.</p>							
<p><b>75 SURGERY ROTA</b> To receive update from July surgery:-</p> <table border="1" data-bbox="129 1576 1385 2016"> <thead> <tr> <th data-bbox="129 1576 571 1615"><b>ISSUE</b></th> <th data-bbox="571 1576 1385 1615"><b>CONCERNS RAISED AND ACTION TAKEN</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="129 1615 571 1872">(i) 20 MPH signs</td> <td data-bbox="571 1615 1385 1872">Complaint about the location of a 20 MPH speed restriction sign in Depenbech Close. Complaint about the positioning of a 20 MPH speed restriction sign by the Tithe Barn. It has a significant detrimental effect on the Malpas conservation area. Parish Council to consider complaining to CWaC about this particular location.</td> </tr> <tr> <td data-bbox="129 1872 571 2016">(ii) Church Street</td> <td data-bbox="571 1872 1385 2016">Requested Double Yellow Lines on Church Street by Church Walk. Explanation provided that Double Yellow Lines on Church Street were one of the proposals included in the Malpas Traffic Master Plan.</td> </tr> </tbody> </table>	<b>ISSUE</b>	<b>CONCERNS RAISED AND ACTION TAKEN</b>	(i) 20 MPH signs	Complaint about the location of a 20 MPH speed restriction sign in Depenbech Close. Complaint about the positioning of a 20 MPH speed restriction sign by the Tithe Barn. It has a significant detrimental effect on the Malpas conservation area. Parish Council to consider complaining to CWaC about this particular location.	(ii) Church Street	Requested Double Yellow Lines on Church Street by Church Walk. Explanation provided that Double Yellow Lines on Church Street were one of the proposals included in the Malpas Traffic Master Plan.	
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(ii) Church Street	Requested Double Yellow Lines on Church Street by Church Walk. Explanation provided that Double Yellow Lines on Church Street were one of the proposals included in the Malpas Traffic Master Plan.						

(iii) Overgrown Tree	Complaint about overgrown tree on Chester Road obscuring the view from traffic exiting Hollowood Road. Parish Council to report to Highways.	
<p><b>76 PLANNING</b></p> <p>76.1 <u>Applications:-</u>  18/02090/FUL - Erection of two bungalows (affordable housing for first time buyers under the NPPF entry level exception site policy) on land to the rear of The Sycamores and single-storey extension to The Sycamores (AMENDED PROPOSAL) at The Sycamores, Old Hall Street, Malpas</p> <p><b>Observations:-</b>  With reference to the Examiner's initial report of the Local Plan Part 2 it is noted that this site was excluded from the settlement boundary, i.e. residing in open countryside and abutting the Malpas Conservation Area.</p> <p>In addition, the site forms part of the Key Views as listed in the Neighbourhood Plan. (Policy LC3). Other policies that are applicable to this application are BE1, BE2, BE3, LC1 and H4. There is no mention of the Neighbourhood Plan or consideration of its policies contained within this application.</p> <p>This proposal falls under the category of back land development, which is not supported by CW&amp;C. The Council would question whether these properties are suitable for first time buyers between the ages of 23-39 and would suggest that they are more suited to older people. Also, whether first time buyers would be actually be able to afford to buy these 'affordable' 3 bedded bungalows.</p> <p>There is anecdotal evidence that Malpas does not need any more affordable accommodation. The houses that have been taken are not going to local people anymore. Not all the affordable housing has been taken up on the Bovis site and there is a lack of interest in them. Another developer is looking not to build any affordable houses on his site due to the lack of demand. However, there is a need in Malpas for housing that local people can actually afford to buy. This could be the reason that not all the so-called affordable housing that has already been build is not being taken up. The Council has very grave concerns about the shared driveway, access and safety. The access point is barely wide enough for two cars and is at a very congested area of the village. The access is across the road from the Cedars development which is for 23 flats, and it is one the same side of the road as the Village surgery. There is insufficient parking at the surgery so there are always parked cars along that stretch of road, which makes pulling out of The Sycamores driveway hazardous. The drive is very steep and would be hazardous in winter, and the Council would want to see a heating system installed on the driveway to prevent slippage by vehicles out on to Old Hall Street in Icy weather conditions. The driveway also narrows as it goes up the hill. The driveway abuts the house walls of Laurel Bank which was built in 1800s and is in a precarious state and has had to have its foundations underpinned. The Council would want to ensure that no harm is caused to this property as a result of this application.</p> <p>The Council cannot support this application and would therefore recommend refusal and request that it go to the Planning Committee for consideration</p> <p><b>Proposed by Cllr Webb and seconded by Cllr Barnett.</b></p> <p>19/01974/S73 - Variation of conditions 2, 15 and 16 of planning permission 17/03491/FUL to alter the mix of units from 2 x 1-bed and 19 x 2-bed to 8 x</p>		

1-bed and 15 x 2-bed and alterations to fenestration at The Cedars Old Hall Street Malpas

**Observations:-** Variation of Condition 2, 15 and 16 of planning permission 17/03491/FUL to alter the mix of units from 2x1 bed and 19x2 bed apartments to 8x1 bed and 15x2 bed apartments and alternations to fenestration. This application doesn't alter the footprint of the building, but increases the number of apartments contained within the building from 21 to 23. The Council has some reservations about the massing, and in particular the amount of car parking spaces available as per our original objection to this development.

**Proposed by Cllr Webb and seconded by Cllr Barnett.**

19/01903/FUL - Demolition of existing house and garage/outbuilding and erection of replacement house and garage/outbuilding at Kidnal Hill Farm Kidnal Hill Lane Overton

**Observations:-** This is in open countryside and is situated near several listed buildings, (Gams Wood Cottage, Moles End and Hannelts Cottage.) The site is described as a 'prominent historic site' in the planning statement yet there is no mention of archaeology. Due to the proximity of this site to the line of a roman road (Watling Street) the Council would have expected there to have been an archaeological report. The Council draw attention to Policy BE5 of the Neighbourhood Plan and would require it to be applied to this development. The size of the proposed new dwelling is of concern to the Council. The Council note that this dwelling had been extended in size by approximately 75% from the original farmhouse in 1997 under planning application 97/00284/FUL. The existing dwelling also has a substantial domestic garden area in front of the property adjoining the Tilston Road. The foot print of the new proposed building is larger again than existing dwelling. It is also to be built in a different location within the site, which represents further incursion into open countryside and hence would fall under Policy Strat 9 of the Local Plan Part 1. If permission is granted then the council would want to see the existing garden and the area occupied by the existing house returned to open pasture /countryside. A new access will be created onto Tilston Road. The garage/outbuildings is a two-storey construction which is seemingly excessive when referenced to its main purpose of a vehicle garage. Due to its size the Council would like to see the permitted development rights removed. There is no mention of an archaeology report, which is expected with the site being close proximity to the line of a Roman Road (Watling Street). It is unclear if any trees/hedges are to be removed as a result of this application. The Neighbourhood plan has a policy of two for one on all trees that are removed. Attention to policies H2, BE1, BE2, BE5, LC1, LC2, LC3 and LC4 of the Neighbourhood Plan which are applicable to this application. The Council recommend this planning application is refused.

**Proposed by Cllr Webb and seconded by Cllr Barnett.**

19/01999/FUL - Two storey side and single storey rear extension at 17 Oathills Malpas

**Observations:-** This is in the conservation area and the Council would want to ensure that the conservation officer is happy with the design and materials to be used. It is a semi-detached property and therefore wish to ensure that the development does not impinge on the neighbour's amenity. Draw attention to Policy BE3 of the Neighbourhood Plan

**Proposed by Cllr Webb and seconded by Cllr Barnett.**

19/01990/FUL - Conversion of redundant out-building to residential use and installation of mini sewage treatment plant at Byways, Dog Lane, Oldcastle

<p><b>Observations:-</b> When the neighbourhood plan was written Oldcastle was outside the parish of Malpas and thus not covered by the plan. Oldcastle is now within the parish of Malpas and therefore would like the principles and policies of the plan to be observed. The policies which would apply to this are H2, BE3, LC1 and LC2. The barn was being used as a stable. A change of use may be required to support this application. This may fall under the category of back land development, which is not supported by CWaC.</p> <p><b>Proposed by Cllr Webb and seconded by Cllr Barnett.</b></p> <p>76.2 <u>To consider any applications received after the agenda has been distributed:-</u> None have been received.</p> <p>76.3 <u>Recent decisions by CW&amp;C:-</u> <u>Approved:-</u> 19/01597/FUL – Land at Chester Road, Malpas</p> <p>76.4 <u>To receive planning updates:-</u> Nothing to report.</p> <p>76.5 <u>Bovis Development:-</u> There have been various ongoing complaints regarding site works. The Clerk is to forward these to Bovis.</p> <p>76.5 <u>Chester Road Development:-</u> Nothing to report.</p> <p>76.7 <u>Mount View Planning Application:-</u> There was no consideration of this item as the land now falls within the settlement boundary.</p>	
<p><b>77 HIGHWAYS</b></p> <p>The Council has received a reply from CW&amp;C regarding proposed works to Bradley Bridge on which they advised the work could take up to three months.</p> <p><b>Resolved:- The Council agreed to write to CW&amp;C to complain about the length of time it will take to carry out repairs to the bridge, the inconvenience caused and to consider making the traffic lights a permanent feature and retain the bridge as a single carriageway so as to ensure that the bridge remains intact. Proposed by Cllr Webb and seconded by Cllr Meredith.</b></p>	
<p><b>78 ALLOTMENTS</b></p> <p>78.1 <u>To receive report and agree action regarding the running of the allotments:-</u> Cllr Whitehurst is to contact two contractors to provide quotes to carry out the works to the entrance of the car park at The Mosslands to improve visibility at the entrance.</p> <p><b>Resolved:- The Council are to write to all allotment holders to remind them that the tenancy agreement states that there is to be an association formed. The association is to be made up of tenants who are to be responsible for the day to day administration of the allotments with Cllr Higgle acting as the liaison officer between the association and the Parish Council. A site meeting between the Parish Council and allotment holders is to be arranged. The Clerk is to circulate the tenancy agreement to Cllrs. Proposed by Cllr Charlton and seconded by Cllr Webb.</b></p> <p>78.2 <u>To consider request for use of car park:-</u> The Council has received a request for the use of one car park space in the car park at the allotments. The Council agreed that work to improve the visibility at the entrance needs to be carried out first before the parish council can formally consider the request.</p>	<p>CW</p> <p>RS</p> <p>RS</p>

<p><b>79 APPEARANCE OF MALPAS</b></p> <p>79.1 <u>Street Furniture:-</u> The Clerk has carried out a visual check of the assets owned by the Council. The following works are required:-</p> <ul style="list-style-type: none"> <li>• Bench at Jubilee Hall:- Repair required for a loose wooden slat on the wooden bench located outside of the Jubilee Hall.</li> <li>• Bus Shelter on Chester Road:- Paintwork is peeling in places, repainting required.</li> <li>• Bench at Chester Road (next to the Almshouses):- Varnish requires touching up and there is graffiti to the arm of the bench.</li> </ul> <p><b>Resolved:- The Clerk is to obtain quotes to carry out the repairs detailed above. Proposed by Cllr Charlton and seconded by Cllr Sabia Picton Hughes.</b></p> <p>79.2 <u>Hanging Baskets:-</u> These have now been put up in the village.</p> <p>79.3 <u>Steps at the Cross:-</u> There are weeds on the Cross, the Clerk is to contact CW&amp;C to arrange for them to be removed.</p>	<p>RS</p> <p>RS</p>
<p><b>80 DOG WASTE BAGS/ HOLDERS</b></p> <p>CW&amp;C do not supply the holders for dog waste bags but do supply the dog waste bags. The Clerk is to obtain quotes for holders for dog waste bags and to contact CW&amp;C to request a supply dog waste bags.</p>	<p>RS</p>
<p><b>81 BUS SHELTERS</b></p> <p>The Council has received several complaints regarding the lack of a bus shelter on Old Hall Street. The planning application for The Crown is not likely to take place imminently.</p> <p><b>Resolved:- The Council are to write to the owners of The Crown to advise that the parish council is minded to reinstate the bus shelter. Proposed by Cllr Webb and seconded by Cllr Charlton.</b></p>	<p>RS</p>
<p><b>82 ADVERTS ON THE COMMUNITY WEBSITE</b></p> <p>This item was deferred.</p>	
<p><b>83 COMMUNITY GOVERNANCE</b></p> <p>Further to the request received Cuddington Parish two reports have been circulated with pros and cons for the merger.</p> <p><b>Resolved:- The Council are to explore the merger further and meet with Cuddington Parish to discuss matters further. Proposed by Cllr Whitehurst and seconded by Cllr Charlton.</b></p>	<p>CW</p>
<p><b>84 CHRISTMAS EVENT</b></p> <p>Cllr Williams has started on the preparations for Christmas. The Council are to write to the property owners who have lights attached to obtain their permission.</p>	<p>RS</p>
<p><b>85 MALPAS 75 YEARS ON</b></p> <p>Cllr Whitehurst updated the meeting regarding proposed events to commemorate the end of the second world war on the weekend of 8 – 10 May 2020. The Council agreed in principle to support the event.</p>	
<p><b>86 KING JAMES CHAIR</b></p> <p>Cllr Charlton agreed to speak with the new owners of the Red Lion regarding the chair being donated back to the pub.</p>	<p>RC</p>
<p><b>87 MISS ENGLAND 2019</b></p>	

The Council wish offer their support to local girl, Eleanor Farr, in her quest to be crowned Miss England 2019.		
<b>88 CLIMATE EMERGENCY</b> Cllr Boxall circulated a report regarding Climate Emergency and requested that the Council acknowledge the need to support CW&C in moving towards a carbon neutral future. <b>Resolved:- The Council agreed to declare a Climate Emergency and to support CW&amp;C in moving towards a carbon neutral future. Proposed by Cllr Boxall and seconded by Sabia Picton Hughes.</b>		
<b>89 CLERK'S REPORT</b>		
(i) Planning	Advised neighbours have not received notification; planning advised they were notified 5/6/19. Extensions requested and granted.	
(ii) Retention of emails	Queried with this with CHALC. CHALC Have advised There is no justification for keeping an email after it has been dealt with unless there is a reason which should be specified. Keeping data 'just in case' is a breach of GDPR.	
(iii) Allotments	The Tenancy Agreement states that there is meant to be an Association formed and made up of the Tenants who are to be responsible for the day to day administration of the Allotments on behalf of the Council.	
(iv) Cross steps	The steps have been pointed up and only require a little cosmetic work and so the barriers can be removed.	
(v) Minerva Arts	Letter of support sent in respect of grant application for a National Lottery Heritage Grant .	
(vi) Paddy Mckiernan	Sympathy card sent to Dawn Mckiernan.	
(vii) Exit High Street / Prospect House	Complaint received regarding a serious issue for drivers exiting these premises due to limited visibility caused by vehicles parking so close to this entrance. Request received to restrict parking by at least two car lengths each side of the entrance. Reply sent to advise advised that CW&C would not permit double yellow lines at the entrance to a private drive. The only alternative is for a single white bar to be painted across the entrance to the drive and there is already one at the location.	
(viii) St Joseph's Estate	Complaint received regarding surface water discharging onto a public highway; this has been reported to CW&C.	
(ix) Public Rights of Way	Request received from a resident for a gate to be replaced with a style on a public footpath off Whitchurch Road near to the site of the Pumpkin Farm. This has been sent to CW&C.	
(x) Bench - Chester Road	The damage has been reported to CW&C who have advised they will have someone out to look at the bench and make sure it is made safe.	
<b>90 EXTERNAL CORRESPONDANCE INCLUDING SUGGESTION BOX</b> List previously circulated to Cllrs.		

<ul style="list-style-type: none"> <li>• A resident has written to the Council to express concerns for the safety of school children on Tilston Road and to request that a zebra crossing be installed. This is part of the Village Master Travel Plan.</li> </ul>	
<b>91 UPDATES FROM OUTSIDE ORGANISATION REPRESENTATIVES</b> 91.1 Victoria Jubilee Hall:- thank you letter received for new tables.	
<b>92 PRESS AND PUBLIC</b> <b>Resolved:- To resolve to exclude the press and members of the public as the items to be discussed are of a sensitive contractual nature. Proposed by Cllr Webb and seconded by Cllr Charlton.</b>	

**The meeting closed at 9.25 p.m.**

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

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