

**MINUTES OF MALPAS PARISH COUNCIL  
HELD ON MONDAY 14<sup>TH</sup> OCTOBER 2019 IN THE JUBILEE HALL AT 7 PM**

	<b>PRESENT</b>	<p>Cllrs Richard Charlton (Chairman), Tina Barnett, Mike Boxall, Michelle Lloyd, Charles Higgle, Karen Meredith, Adrian Waddelove, John Webb, Chris Whitehurst, Michael Williams. The Clerk. PCSO Jon Hurst and three members of the public attended part of the meeting.</p>											
<b>134</b>	<b>APOLOGIES</b>	Cllrs Roma Hancock, George Mifsud.											
<b>135</b>	<b>DECLARATION OF INTERESTS</b>	<p>Cllr Meredith declared a pecuniary interest in item 159 of the minutes. Cllr Higgle declared a non-pecuniary interest in item 143.1 of the minutes. Cllr Whitehurst declared a non-pecuniary interest in item 164 of the minutes. Cllr Whitehurst applied to the Council for dispensation to speak and take part in item 164 of the minutes. The dispensation was granted.</p>											
<b>136</b>	<b>APPROVAL OF THE MINUTES</b>	<p><b>Resolved: - Item 117 was amended to include “with local connections”.</b> <b>The Chairman then signed the minutes of the Parish Council meeting that was held on 9<sup>th</sup> September 2019 as a true and proper record. Proposed by Cllr Webb and seconded by Cllr Whitehurst.</b></p>											
<b>137</b>	<b>OPEN FORUM</b>	<p>The following issues were raised during Open Forum:-</p> <ul style="list-style-type: none"> <li>• The parish clerk for Cuddington Parish Meeting spoke to the meeting regarding a request for Cuddington Parish to merge with Malpas Parish Council.</li> <li>• Resident Craig Jones spoke to the meeting about using scanner and sensors to help combat crime in the community.</li> </ul>											
<b>138</b>	<b>POLICE REPORT</b>	<p>The Council received the following police report for crimes reported in September:-</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 35%;">Offence</th> <th style="width: 65%;">Details</th> </tr> </thead> <tbody> <tr> <td>ASB Malpas</td> <td>Youths enter burial ground</td> </tr> <tr> <td>ASB Malpas</td> <td>Youths congregating at Youth club / rear of Craddock Court</td> </tr> <tr> <td>ASB Overton</td> <td>Motorbikes riding around field and Bridal path</td> </tr> <tr> <td>Burglary dwelling Malpas</td> <td>– 2 tools boxes taken from open garage</td> </tr> </tbody> </table> <p>PCSO Jon Hurst also updated the meeting of the following:-</p> <ul style="list-style-type: none"> <li>• Actions taken to deal with ASB by youths in the village;</li> <li>• There has been an increase in calls to 101;</li> <li>• Suspicious vehicles reported in Cuddington and Chorlton which turned out to be a taxi and the milkman;</li> <li>• Parking on Old Hall Street;</li> <li>• Beat Manager PC Ged Gigg is moving to join the newly formed Rural Crime Unit, part of which will be based at Dragon Hall. PC Steve Gardner is taking</li> </ul>	Offence	Details	ASB Malpas	Youths enter burial ground	ASB Malpas	Youths congregating at Youth club / rear of Craddock Court	ASB Overton	Motorbikes riding around field and Bridal path	Burglary dwelling Malpas	– 2 tools boxes taken from open garage	
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over from Ged and joins the Rural team as Beat Manager Rural South on 7th October.

- Residents are urged to report any incidents of anti-social or criminal behaviour by calling 101.

### 139 ACCOUNTS

139.1 To approve payment of additional hours worked by the Clerk:-

**Resolved:- the Council agreed to approve payment of 23.5 additional hours worked by the Clerk. Proposed by Cllr Higgle and seconded by Cllr Barnett.**

139.2 Payments Approved:-

Chq No	Payee	Statutory Power	Amount
271	Running Costs	s.111	£ 73.29
272	St Oswald's Church (advertising)	s.111	£ 420.00
273	Tarporley Parish Council (training)	s.111	£ 50.00
274	CW&C (uncontested election recharge for May 2019)	s.111	£ 197.00
275	PKF Littlejohn LLP (external audit fees)	s.111	£ 240.00
281	Additional Hours worked by the Clerk		£ 263.67

The Clerk's salary was paid by standing order.

Receipts Received:-

Speed Gun Contribution – No Man's Heath and District Parish Council - £150.00

Speed Gun Contribution - Threapwood PC - £150.00

Bank Account:-

The reconciled balance in the current bank account as at 30<sup>th</sup> September 2019 was £74,454.73.

The funds are allocated as follows:-

Parish Council - £27,775.65

Christmas Lights Funding - £145.07

New Homes Bonus - £42,256.75

Allotments (balance of £3,600 transferred from NHB allocation) - £1,101.27

Allotment Deposits (ring fence in accounts) - £650.00

Neighbourhood Plan - £727.42

Insurance claim - £1,798.57

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

139.3 To receive update for Insurance Claim:-

The insurance company has written to advise that they have agreed to the estimate provided by Barlows to carry out the repairs to the damaged chimney.

139.4 Budget to Date:-

The Council received the budget to date figures. Cllr Boxall commented on the layout of the figures. The Clerk is to review the presentation of the figures.

139.5 Annual Audit:-

PKF Littlejohn LLP have written to confirm completion of the limited assurance review of the Annual Governance and Accountability Return (AGAR) for Malpas Parish Council for the year ended 31 March 2019. Section 3 – External Auditor Report and Certificate 2018 – 19 for Malpas Parish Council states as follows:-

## “2. External auditor report 2018/19

Except for the matters reported below, on the basis of our review of Sections 1 and 2 of the Annual Governance and Accountability Return (AGAR), in our opinion the information in Sections 1 and 2 of the AGAR is in accordance with Proper Practices and no other matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met. The smaller authority has disclosed that it made proper provision during the year 2018/19 for the exercise of public rights, by answering ‘Yes’ to Section 1, Assertion 4. However, as was reported last year, we are aware that it failed to do this and therefore should have answered ‘No’ to this assertion. It has also disclosed that it took appropriate action on all matters raised in reports from internal and external audit, by answering ‘Yes’ to Section 1, Assertion 7, which, on the basis of the above, is not correct.

## 3. External auditor certificate 2018/19

We certify that we have completed our review of Sections 1 and 2 of the Annual Governance and Accountability Return, and discharged our responsibilities under the Local Audit and Accountability Act 2014, for the year ended 31 March 2019.”

In accordance with the Accounts and Audit Regulations 2015 the following documents have been published on the Malpas Parish Council’s website:-

- Notice of Conclusion of audit (which details the rights to inspection, in line with the statutory requirements);
- The certified AGAR (Sections 1, 2 and 3).

## 139 NEIGHBOURHOOD PLAN

Cllr Boxall was invited to lead the Neighbourhood Plan Steering Group.

## 140 INTERNAL PROCEDURES

### 140.1 Equality and Diversity policy:-

**Resolved:- That the Council approve the Equality and Diversity policy.  
Proposed by Cllr Higgin and seconded by Cllr Charlton.**

### 140.2 Training:-

Cllr Waddelove encouraged new Cllrs to attend new Cllr induction training courses.

## 141 SURGERY ROTA

To receive update from September surgery:-

ISSUE	CONCERNS RAISED AND ACTION TAKEN
(i) Flooding in Well Meadow	Dirty water pouring out of the Bovis site and blocking grids. Grids are clear and the road was being cleaned on Saturday (5th Oct) morning.
(ii) 20 mph sign in Well Avenue	Request that the 20 MPH sign in Well Avenue be uncovered. Resident was advised that it was down to CWaC Highways department.
(iii) Parking on Tilston Road	Complaint about the parking around the junction of Tilston Road and Hughes Lane. Resident provided feedback on the current situation with the Village Traffic Master Plan.
(iv) The Sycamores	Request for update on the proposed development at the Sycamores. Feedback on the latest position with regards to Settlement boundary changes and the other material issues provided.

(v) Lines in High Street Car Park	Request that the lines in the High Street car park be repainted. Request has been sent to CWaC Highways department.
(vi) Property Access	Request for H Bars to be installed across private drive entrances. The Council considered the matter and agreed to find out the costs and request that the resident make a contribution to pay for work.
(vii) Parking on Old Hall Street	Complaint about the difficulty of accessing Old Hall Court when vehicles parked on Old Hall Street near the entrance.
(viii) Property Hedges on Chester Road	Complaint about overgrown hedges on Chester Road. Clerk to report to Highways.
(ix) Bin at Nisa	Complaint that the new recycling bin outside Nisa is not working and request made that the old bin be reinstated. The Clerk is to speak with CW&C Cllr Rachel Williams regarding the issue.

## 142 PLANNING

### 143.1 Applications:-

19/03428/FUL - Erection of detached greenhouse and garage/garden store at The Mission Room Stockton Hall Lane Stockton Malpas

**Observations:-** This is a small site and the Council would be concerned about the massing due to the size of the proposed buildings. They are not adjacent to the Mission Room and are therefore in open countryside.

**Proposed by Cllr Whitehurst and seconded by Cllr Meredith.**

19/03523/FUL - Single storey side and rear and first floor side extension at 9 Well Farm Close Malpas

**Observations:-** Neighbourhood Polity BE3 applies to this application. This is quite a large extension and the Council would want to ensure that it doesn't interfere with the neighbour's amenities especially light and there is sufficient off-road parking.

**Proposed by Cllr Whitehurst and seconded by Cllr Meredith.**

19/03346/FUL - Proposed Orangery extension and Summer House at Woodhey 3 Beeches Close Malpas

**Observation:-** The Garden Room is to be built by the garage in an L shape, close to the boundary fence. It is to be a wooden construction, and appears to be open on one side. The garage is 2 stories. The Council would draw your attention to the Neighbourhood Plan in particular Policy BE3. Due to the proximity of the proposed garden room to the boundary fence the Council would want to ensure that it doesn't affect the neighbour's amenities.

**Proposed by Cllr Whitehurst and seconded by Cllr Meredith.**

19/02454/106 - Discharge Planning Obligation 2 (Occupancy of dwelling) of 6/17408 at Peacock Farm Dog Lane Malpas and 19/02431/S73 - Removal of Condition 2 (Agricultural Occupation) of 6/17408 at Peacock Farm Dog Lane Malpas

**Observations:-** This is a paper exercise to tidy up the paperwork. In June 2019 CWAC wrote to the applicant confirming that Section 52 terms would not be enforced and that the owner of the property need no longer be tied to agriculture. They also advised that planning permission should be sort to remove the agricultural tenancy clause.

<p><b>Proposed by Cllr Whitehurst and seconded by Cllr Meredith.</b></p> <p>19/03521/FUL - Residential development of 30 dwellings and proposed link road - amendment to application 17/04562/FUL at Land Opposite St Joseph's College Tilston Road Malpas</p> <p><b>Observations:-</b> The Council agreed to hold an extraordinary meeting if unable to gain an extension to consider the application and to request that the application be called to the Planning Committee. The Council agreed in principle not to support any new residential developments that A) rely on fossil fuel fired heating, or B) fail to include facilities for charging electric vehicles, or C) fail to provide any means of generating renewable electricity.</p> <p><b>Proposed by Cllr Higgle and seconded by Cllr Webb.</b></p> <p>143.2 <u>To consider any applications received after the agenda has been distributed:-</u> None have been received.</p> <p>143.3 <u>Recent decisions by CW&amp;C:-</u> <u>Withdrawn:-</u> 18/04528/S73 - Land Opposite West End Cottage Church Street Malpas</p> <p>143.4 <u>To receive planning updates:-</u> No updates.</p> <p>143.5 <u>Bovis Development:-</u> There have been complaints regarding the drainage at the site. The Clerk is to write to Bovis to request an update regarding the drainage at the site.</p> <p>143.5 <u>Chester Road Development:-</u> No progress to report.</p>	RS
<p><b>144 SPEED CAMERA</b></p> <p>There is to be a meeting of volunteers to do a rota for the speed camera every month in Malpas and then the results are submitted to Police and CW&amp;C</p>	CW
<p><b>145 ALLOTMENTS</b></p> <p>145.1 <u>To receive report and agree action regarding the running of the allotments:-</u> <b>Resolved:- The Council agreed to restrict applications for allotments to the Malpas ward only. Proposed by Cllr Waddelove and seconded by Cllr Charlton.</b></p> <p>145.2 <u>To review allotment policy and agree amendments (as previously circulated):-</u> <b>Resolved:- The Council agreed to the following additions / amendments of the Allotment Policy:-</b></p> <ul style="list-style-type: none"> <li>- Amend Item 5. Raised beds may be used where the beds are no more than 3 feet high. The beds must be open to the earth at the bottom.</li> <li>- Amend Item 14. The shed should be insured at the Tenants expense for fire and theft. All shed must be well maintained and be in a good safe condition. No concrete floors are permitted. (Grammar and spelling need to be amended to read "insured" and sheds)</li> <li>- Amend Item 17. Fly tipping is prohibited in both the Allotment and the Mosslands.</li> <li>- Amend Item 18. Removal of bulk soil, clay or turf from the Allotment or Mosslands is prohibited. (Need to add to this condition stating that none of these materials are brought into the site without the Council's permission.)</li> <li>- Add Item 24:- The Tenant shall ensure that a minimum of half the plot be kept cultivated and the remainder of the plot be kept in a tidy condition.</li> </ul>	

<p><b>- Add Item 25:- The Tenant shall cover the plot during the winter months only as this will prevent rats and mice from living under the sheeting during the growing season</b>  <b>Proposed by Cllr Whitehurst and seconded by Cllr Charlton.</b></p> <p><b>Resolved:-That the Council review the Allotment Policy on an annual basis. Proposed by Cllr Boxall and seconded by Cllr Waddelove.</b></p>	MB
<p>145.3 <u>To agree to take legal advice regarding the legal status of The Mosslands and the allotment policy and tenancy agreement:-</u>  Cllr Whitehurst and the Clerk are due to meet with a solicitor to seek legal advice regarding the process.</p>	CW RS
<p><b>146 APPEARANCE OF MALPAS</b>  146.1 <u>Street Furniture:-</u>  Ongoing.  146.2 <u>Large Planters:-</u>  Quotes as follows:-  The price for a 1m square planter is £504 per planter. This comes with compost and named on all four sides.  The price for the tiered planter is £1,299. This comes with compost and named on four sides.</p>	
<p><b>147 THE CROSS</b>  This item will be considered in part 2.</p>	
<p><b>148 DOG BAG DISPENSERS</b>  The Council considered suitable locations.  <b>Resolved:- The Council agreed to purchase four holders for dog waste bags. Locations are to be agreed. Proposed by Cllr Charlton and seconded by Cllr Boxall.</b></p>	RS
<p><b>149 BUS SHELTERS</b>  The Council received quotes for a glass bus shelter on Old Hall Street. The Council also considered Cllr Boxall's request for a solar panel on the bus shelter and the request made by Cllr Webb's for a domed roof.  <b>Resolved:- The Council agreed to request for a further quote to include solar panels before making a decision. Proposed by Cllr Webb and seconded by Cllr Higgle.</b></p>	RS
<p><b>150 VILLAGE INTEGRATION</b>  The Council are welcome to use the meeting room at Malpas and District Sports Club for meetings. It is hoped to hold a village event there next summer involving local organisations.</p>	
<p><b>151 CHRISTMAS EVENT</b>  Cllr Williams updated the meeting regarding the arrangements for the Christmas event on 30 November.</p>	
<p><b>152 CLIMATE EMERGENCY</b>  152.1 <u>To receive update:-</u>  Cllr Boxall updated the meeting regarding the tree planting initiative.  152.2 <u>To agree to set a £500 budget towards initiatives:-</u>  <b>Resolved:-The Council agreed to set budget of £500.00 towards Climate Emergency initiatives. Proposed by Cllr Boxall and seconded by Cllr Webb.</b>  152.3 <u>To receive update regarding the installation of solar in Malpas conservation area:-</u>  The Council received a report from Cllr Lloyd regarding work at the Jubilee Hall.</p>	

<b>153</b>	<b>WINTER PREPARATIONS</b> The Clerk has followed up the order that was place with CW&C for the provision of grit bins in the village and been advised that unfortunately there has been a delay. The Clerk is to follow up the request for grit bins at the Bovis site.	RS
<b>154</b>	<b>TM CHAPTER 8 COURSE</b> The Council discussed attending the Traffic Management Chapter 8 Course and agreed to reconsider when new dates are released.	
<b>155</b>	<b>ENFORCEMENT POLICY LEGISLATION</b> Cllrs Whitehurst and Waddelove have formulated a formal response to the consultation on Enforcement Policy Legislation which Cllr Whitehurst is to submit the response to CW&C.	CW
<b>156</b>	<b>HEALTHY LIVING EVENT</b> The Clerk has contacted CHALC to request that CHALC run an event to promote healthy living in Malpas. CHALC have advised that this event is a one off as it is running at a loss.	
<b>157</b>	<b>RECOGNITION FOR SERVICE TO THE LOCAL COMMUNITY</b> The Clerk is to inform Nigel Shone of the process to recommend certain local individuals in recognition of their service to the local community.	RS
<b>158</b>	<b>CUDDINGTON PARISH MEETING</b> The Council considered the request made by Cuddington Parish Meeting to merge with Malpas Parish Council. <b>Resolved:- The Council agreed in principle to explore the merger.</b> <b>Proposed by Cllr Higgle and seconded by Cllr Webb.</b>	RS
<b>159</b>	<b>TRANSPORT TO BISHOP HEBER HIGH SCHOOL</b> The item was deferred.	
<b>160</b>	<b>CLERK'S REPORT</b>	
	(i) Risk Assessment	The Clerk attended training session.
	(ii) Poppy Wreath	Order has been placed.
	(iii) 20 mph sign	Complaint received regarding location of new 20 mph sign on Church Street as it is affecting vision when exiting resident's property. This has now been moved
	(iv) Highways	Letter sent to Highways at CW&C to thank them for prioritising the resurfacing of the road at Hampton Bridge.
	(v) CHALC Annual Meeting	Motion submitted; Cllr Waddelove booked to attend.
	(vi) Mount Farm	Resident raised re Mount Farm with regard to the road boundary and proposed footpath. Highways have been notified.
	(vii) 2020 Dates	2020 dates booked at Jubilee
	(viii) Christmas Trees	Order placed with Walkers Nurseries. Obtaining orders from local businesses is ongoing.
	(ix) Jubilee Clock	The Clerk is to arrange for the annual service.
<b>161</b>	<b>EXTERNAL CORRESPONDANCE INCLUDING SUGGESTION BOX</b> List previously circulated to Cllrs.	
<b>162</b>	<b>UPDATES FROM OUTSIDE ORGANISATION REPRESENTATIVES</b> No updates.	

**163 PRESS AND PUBLIC**

**Resolved:- To resolve to** exclude the press and members of the public as the items to be discussed relate to contractual matters and employee matters.

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

**The meeting closed at 10.00 p.m.**

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

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