

**MINUTES OF MALPAS PARISH COUNCIL  
HELD ON MONDAY 13<sup>TH</sup> JULY 2020  
USING THE ZOOM PLATFORM AT 7 PM**

	<p><b>PRESENT</b> Cllrs Richard Charlton (Chairman), Mike Boxall, Jackie Clegg, Charles Higgle, Michelle Lloyd, Enric Sabia Picton Hughes, Adrian Waddelove (Vice Chairman), John Webb, Chris Whitehurst, Michael Williams. The Clerk. One member of the public attended part of the meeting.</p>															
<b>381</b>	<p><b>APOLOGIES</b> Cllrs Tina Barnett, Roma Hancock, Karen Meredith, Don Tulloch.</p>															
<b>382</b>	<p><b>DECLARATION OF INTERESTS</b> Cllr Whitehurst has previously applied to the Council for a dispensation to speak and take part in item 405 of the minutes. The dispensation was previously granted. Cllr Charlton declared a pecuniary interest in item 392.3 of the minutes. Cllr Williams declared a pecuniary interest in item 391.1 of the minutes. Cllr Williams declared a non-pecuniary interest in item 393 of the minutes. Cllr Webb declared a non-pecuniary interest in item 400 of the minutes.</p>															
<b>383</b>	<p><b>APPROVAL OF THE MINUTES</b> <b>Resolved: - The following amendments were made:- removal of “Rt Hon” under Present; Item 362 – removal of word “The”; Item 370.5 – addition of the following “and to request that CW&amp;C supports the Neighbourhood Plan policy of two replacement trees for each one tree removed.”; Item 380 – “Higgle” replaced with “Waddelove”.</b> <b>The Chairman is to sign the minutes of the Parish Council meeting that was held on 8<sup>th</sup> June 2020 as a true and proper record. Proposed by Cllr Waddelove and seconded by Cllr Higgle.</b> <b>The voting took place as follows:-</b> <b>For:- Cllrs. Boxall, Charlton, Clegg, Higgle, Waddelove, Webb, Whitehurst, Williams.</b> <b>Against:- none. Abstained:- Cllrs Lloyd, Picton Hughes.</b></p>															
<b>384</b>	<p><b>OPEN FORUM</b> There was no consideration of this item.</p>															
<b>385</b>	<p><b>POLICE REPORT</b> The police report had been circulated previously. Details of offences that occurred in and around Malpas are as follows:-</p> <table border="1" style="width: 100%;"> <thead> <tr> <th style="width: 30%;">Offence</th> <th>Details</th> </tr> </thead> <tbody> <tr> <td>Theft other Ebnal</td> <td>report of a historic theft of jewellery</td> </tr> <tr> <td>Criminal damage Malpas</td> <td>unknown offender cuts front gate chain</td> </tr> <tr> <td>Theft other Malpas</td> <td>theft of mobile phone</td> </tr> <tr> <td>Theft other Tushingam</td> <td>theft of new horse tack from outbuilding</td> </tr> <tr> <td>Burglary dwelling Malpas</td> <td>property entered through window smashed and jewellery taken</td> </tr> <tr> <td>Burglary dwelling Chorlton</td> <td>property entered through smashed window watches and jewellery taken</td> </tr> </tbody> </table> <ul style="list-style-type: none"> <li>• Residents are urged to report any incidents of anti-social or criminal behaviour by calling 101.</li> </ul>	Offence	Details	Theft other Ebnal	report of a historic theft of jewellery	Criminal damage Malpas	unknown offender cuts front gate chain	Theft other Malpas	theft of mobile phone	Theft other Tushingam	theft of new horse tack from outbuilding	Burglary dwelling Malpas	property entered through window smashed and jewellery taken	Burglary dwelling Chorlton	property entered through smashed window watches and jewellery taken	
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### 386 ACCOUNTS

386.1 To approve accounts, payments & bank reconciliation:-

386.1.1 Payments Approved:-

Chq No	Payee	Statutory Power	Amount
322	Running Costs / Additional Hours worked	s.111	£ 127.27
323	Reimburse R Charlton for Zoom	s.111	£ 14.39
324	Walkers Nurseries (Hanging Baskets / refill planters)	s.137	£ 818.11

The Clerk's salary was paid by standing order.

386.1.2 Receipts Received as at 30<sup>th</sup> June 2020:-

HMRC (VAT refund):- £1,347.30

386.1.3 Bank Account:-

The reconciled balance in the current bank account as at 30<sup>th</sup> June 2020 was £103,098.89.

The funds are allocated as follows:-

Parish Council - £48,435.87

Christmas Lights Funding - £146.40

New Homes Bonus - £27,831.06

Community Infrastructure Levy (CIL):- £22,557.50

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

Allotment Deposits (ring fence in accounts) - £550.00

Neighbourhood Plan - £678.22

Insurance claim - £1,798.57

**Resolved: - The Council agreed to the above payments.**

**Proposed by Cllr Webb and seconded by Cllr Picton Hughes.**

**The voting took place as follows:-**

**For:- Cllrs. Boxall, Clegg, Higgle, Lloyd, Picton Hughes, Waddelove, Webb, Whitehurst, Williams.**

**Against:- none. Abstained:- Cllr Charlton.**

386.2 To receive the Budget to Date figures for 1<sup>st</sup> April to 30<sup>th</sup> June 2020 (see Attachment C):-

**Resolved: - The Council agreed to accept and approve the Budget to Date figures for 1<sup>st</sup> April to 30<sup>th</sup> June 2020.**

**Proposed by Cllr Webb and seconded by Cllr Picton Hughes.**

**The voting took place as follows:-**

**For:- Cllrs. Boxall, Charlton, Clegg, Higgle, Lloyd, Picton Hughes, Waddelove, Webb, Whitehurst, Williams.**

**Against:- none. Abstained:- none.**

### 387 ANNUAL AUDIT

387.1 Internal Audit:-

**Resolved:- The Council received the Internal Auditors Report. No actions are required.**

**Proposed by Cllr Higgle and seconded by Cllr Picton Hughes.**

**The voting took place as follows:-**

**For:- Cllrs. Boxall, Charlton, Clegg, Higgle, Lloyd, Picton Hughes, Waddelove, Webb, Whitehurst, Williams.**

**Against:- none. Abstained:- none.**

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

	<p><b>Resolved:</b> - The Council approved the Annual Governance Statement for the year ended 31<sup>st</sup> March 2020 for the purpose of the External Audit. The Council are to write an additional note to explain that the Council are in a state of limbo with regards to the legal status of The Mosslands. The Council are currently seeking legal advice on how to discharge their responsibilities in the absence of vital missing documentation.</p> <p><b>Proposed by</b> Cllr Higgle and seconded by Cllr Webb.</p> <p><b>The voting took place as follows:-</b>  <b>For:-</b> Cllrs. Boxall, Charlton, Clegg, Higgle, Lloyd, Picton Hughes, Waddelove, Webb, Whitehurst, Williams.  <b>Against:-</b> none. <b>Abstained:-</b> none.</p>	
387.3	<p><u>To approve the Accounting Statements in the AGAR for the year ended 31<sup>st</sup> March 2020:</u> -</p> <p>The Clerk had previously responded to queries regarding the following:- uncleared cheques; the breakdown of the New Homes Bonus and CIL monies in the bank account and income received in respect of the Christmas Trees.</p> <p><b>Resolved:</b> - The Council approved the Accounting Statements in the AGAR for the year ended 31<sup>st</sup> March 2020 for the purpose of the External Audit.</p> <p><b>Proposed by</b> Cllr Charlton and seconded by Cllr Higgle.</p> <p><b>The voting took place as follows:-</b>  <b>For:-</b> Cllrs. Boxall, Charlton, Clegg, Higgle, Lloyd, Picton Hughes, Waddelove, Webb, Williams.  <b>Against:-</b> none. <b>Abstained:-</b> Cllr Whitehurst.</p>	
387.4	<p><u>Internal Controls:</u> -</p> <p>The Council conducted a review of the effectiveness of the Council's System of Internal Controls which shall be in accordance with proper practices.</p> <p><b>Resolved:-</b> The Council approved the System of Internal Controls and agreed for the new Finance Committee to review the policy.</p> <p><b>Proposed by</b> Cllr Charlton and seconded by Cllr Webb.</p> <p><b>The voting took place as follows:-</b>  <b>For:-</b> Cllrs. Boxall, Charlton, Clegg, Higgle, Lloyd, Picton Hughes, Waddelove, Webb, Whitehurst, Williams.  <b>Against:-</b> none. <b>Abstained:-</b> none.</p>	
388	<p><b>INTERNAL AUDITOR</b></p> <p><b>Resolved:-</b> The Council agreed to invite the Internal Auditor to a future meeting to discuss the processes used to carry out the internal audit.</p> <p><b>Proposed by</b> Cllr Boxall and seconded by Cllr Webb.</p> <p><b>The voting took place as follows:-</b>  <b>For:-</b> Cllrs. Boxall, Clegg, Higgle, Lloyd, Picton Hughes, Waddelove, Webb, Whitehurst, Williams.  <b>Against:-</b> none. <b>Abstained:-</b> Cllr Charlton.</p>	RS
389	<p><b>CHAIRMAN'S REPORT</b></p> <p><b>Resolved:-</b> The Council received the Chairman's Report and agreed to accept the report subject to minor amendments.</p> <p><b>Proposed by</b> Cllr Higgle and seconded by Cllr Webb.</p> <p><b>The voting took place as follows:-</b></p>	RC

<p><b>For:- Cllrs. Boxall, Clegg, Higgle, Lloyd, Picton Hughes, Waddelove, Webb, Whitehurst, Williams.</b>  <b>Against:- none. Abstained:- Cllr Charlton.</b></p>	
<p><b>390 INTERNAL PROCEDURES</b>  390.1 <u>To agree Terms of Reference (TORs) for the Finance, Planning and Personnel Sub Committees:-</u>  Cllr Clegg has prepared the TORs which have been forwarded to CHALC for comments as previously agreed. Cllr Clegg has amended the TORS which are to be considered at the next Council meeting. The Council thanked Cllr Clegg for all her work on the TORs.  390.2 <u>To establish members for the Finance, Planning and Personnel Sub Committees:-</u>  This item was deferred.</p>	
<p><b>391 PLANNING</b>  391.1 <u>Applications:-</u>  20/01826/S73 - Variation of Condition 1 of 19/01597/FUL (to extend for six months to 25th Dec 2020) at Land at Chester Road Malpas  <b>Resolved:-</b> The Council made the following observations - 19/01597 granted permission for United Utilities to gain temporary access to accommodate construction works to facilitate upgrades at Malpas Reservoir. Condition 1 states that the land must be restored to its former condition on or before 25 June 2020. This application is for an extension due to the impact of Covid 19. Following email consultation CWAC were notified that the PC had no objections to this application.  <b>Proposed by Cllr Charlton and seconded by Cllr Webb.</b>  <b>The voting took place as follows:-</b>  <b>For:- Cllrs. Boxall, Charlton, Clegg, Higgle, Lloyd, Picton Hughes, Waddelove, Webb, Whitehurst, Williams.</b>  <b>Against:- none. Abstained:- none.</b>  20/02042/TPO - Beech (T12) - Partial crown reduction to avoid structural damage to the church and neighbouring property at United Reform Church High Street Malpas  <b>Resolved:-</b> No objections.  <b>Proposed by Cllr Charlton and seconded by Cllr Webb.</b>  <b>The voting took place as follows:-</b>  <b>For:- Cllrs. Boxall, Charlton, Clegg, Higgle, Lloyd, Picton Hughes, Waddelove, Webb, Whitehurst.</b>  <b>Against:- none. Abstained:- Cllr Williams.</b>  20/01904/FUL - Demolition of existing house and outbuilding and replacement with new dwelling at Alport Farm at Overton Heath Lane Overton Malpas  <b>Resolved:-</b> The Council made the following observations:-  This is in open countryside and the new dwelling is substantially larger than the existing one (41.9%) which contravenes the CWAC 30% extension policy. As this is in open countryside the impact on the surrounding area will be greater than had it been located at an urban site. Neighbourhood Plan policies that apply to this application are H2 and LC1.  There is no mention of any archaeological assessment. This site is in close proximity to a scheduled monument (medieval Village) and an ancient drove track. The Council would have expected an archaeological assessment or report in line with policy BE5 of the Neighbourhood Plan.</p>	

Both Malpas Parish Council and CWAC have both declared climate emergencies therefore the Council challenge the need for a chimney and would seek clarification regarding the type of fuel. With this in mind the Council would expect the chimney to be in the middle of the building to maximise heat retention within the building and not on the end. The chimney is likely to be a functioning one as there is no mains gas connection to the building.

In line with Council policy on climate change the Council would expect the new building to have alternative / green sustainable forms of energy and heating and an electric car charging point.

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

**The voting took place as follows:-**

**For:- Cllrs. Boxall, Charlton, Clegg, Higgle, Lloyd, Picton Hughes, Waddelove, Webb, Whitehurst, Williams.**

**Against:- none. Abstained:- none.**

20/01909/FUL - Two storey rear extension and alterations (Partly Retrospective) at The Crown Hotel Old Hall Street Malpas

**Resolved:-** The Council made the following observations:-

The Council welcomes the overall improvement to the Crown and the general appearance of Old Hall Street by the current owner. The Council note that this application is retrospective and wish to highlight that the Council do not condone or support development without planning applications.

This is in Malpas Conservation Area and although the building is not listed, it is listed as a Character Building in the Neighbourhood Plan. In the Heritage statement included with this application it states that they have been unable to find Conservation Area Appraisal. One does exist for Malpas and is dated March 1981. Preservation of the conservation area is important to the community and the Council would therefore raise an objection to the blue lighting around the building and the current window advertisement facing the Cross which is a scheduled monument.

The windows on Old Hall Street are to be replaced with wooden ones which are in keeping with the conservation area. The applicant plans to use these windows for the rear extension. Both CWAC and Malpas Parish Council have declared a climate emergency with this in mind the Council would commend the recycling of the UVPC windows. As this is in line with this policy. However, the windows at the back should also be wooden in line with the conservation area.

The Council would like to mention the demolition of the Bus Shelter without planning permission and the promise from the owner to reinstate a shelter as part of any future development. Local Plan Policy ENV35. The Council would therefore expect an application for a replacement bus shelter which if granted would be subject to conditions to avoid premature demolition.

The Neighbourhood Policies which apply to this application are BE3BE4 and SF1. As this building is in the conservation area the Council would want to ensure that all materials used are appropriated to their surroundings and that the Conservation Officer is happy that this is so.

Cllr Waddelove stated that he disagreed with retrospective planning applications and requested a named vote.

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

**The voting took place as follows:-**

**For:- Cllrs. Boxall, Clegg, Higgle, Lloyd, Picton Hughes, Webb, Whitehurst, Williams.**

**Against:- Cllr Waddelove. Abstained:- Cllr Charlton.**

<p>391.2 <u>To consider any applications received after the agenda has been distributed</u> 20/02159/S73 - Variation of Condition 2 of 18/02090/FUL (Minor alterations to design) at Land At Old Hall Street Malpas – the Clerk is to request an extension.</p> <p>391.3 <u>Recent decisions by CW&amp;C:-</u> Approved:- 20/01567/FUL – Shirbourne, Chester Road, Malpas</p> <p>391.4 <u>To receive updates:-</u> No updates.</p>	
<p><b>392 POST CORONAVIRUS</b></p> <p>392.1 <u>Rural Resilience:-</u> The Council received a report regarding Coronavirus Policy and Rural Development for Malpas. This included issues raised during discussions with Edward Timpson MP and Cllr Louise Gittins (Leader of the CW&amp;C). The following actions were considered:-</p> <ul style="list-style-type: none"> <li>• Marketing Cheshire:- Cllrs Webb, Whitehurst Higgle and Williams are to liaise with Ward Cllr Rachel Williams to look at ways in which to promote Malpas.</li> <li>• Relaxation of Rules / Planning Laws:- to liaise with local businesses, no action agreed.</li> <li>• New Cycle Fund:- Ward Cllr Rachel Williams is involved with this initiative.</li> <li>• CW&amp;C Climate Change Task-force and Website:- Cllr Higgle is to look into this further.</li> <li>• Produce Granular Data:- no action agreed.</li> <li>• CW&amp;C Rural Growth Strategy Online:- no action agreed.</li> <li>• CW&amp;C Participate Now Website:- Cllr Webb is to look into,</li> <li>• CW&amp;C Housing:- no action agreed.</li> <li>• Sustaining Food Bank in Malpas:- this has been dealt with. No Council involvement required at this stage.</li> <li>• Visit Neston Community Centre:- visit planned for September.</li> </ul> <p>392.2 <u>Malpas Business Economic Impact Survey:-</u> The Council considered ways to support Malpas Businesses post covid-19 and ways to determine the impact of coronavirus on local businesses to support discussions with both local and national government on support for the local community, This included a Business Economic Impact Survey for businesses in Malpas. The Council considered alternatives including the use of social media to ask a simple question to both residents and businesses in the local community as to what they wish to see. <b>Resolved:- The Council agreed to use social media to ask both residents and businesses for suggestions how to support the local community post Covid-19. It is hoped that the suggestions can be used to influence both local and central government.</b> <b>Proposed by Cllr Whitehurst and seconded by Cllr Webb.</b> <b>The voting took place as follows:-</b> <b>For:- Cllrs. Boxall, Clegg, Higgle, Lloyd, Picton Hughes, Waddelove, Webb, Whitehurst, Williams.</b> <b>Against:- none. Abstained:- Cllr Charlton.</b></p> <p>392.3 <u>Health Hub:-</u> Cllr Webb updated the Council about the proposed health hub and plans to lobby the local MP.</p>	<p>JW CH MW CW</p> <p>CH</p> <p>JW</p> <p>CW</p>

<p><b>393 CHRISTMAS</b> The Clerk has met with Ward Cllr Rachel Williams, Mrs Gillian Valentine, Cllrs Tulloch and Lloyd to discuss the Council's involvement with the Christmas event and Christmas lights in the village. A report is to be submitted for consideration by the Council.</p>	
<p><b>394 APPEARANCE OF MALPAS</b> To receive update and agree any action regarding the following:-</p> <ul style="list-style-type: none"> <li>• Hanging baskets:- An order was placed with Walkers Nurseries for 14 hanging baskets at a cost of £35.04 plus VAT per hanging basket for businesses who have previously ordered their hanging baskets through the parish council. These have been delivered and the Clerk has distributed the hanging baskets to the businesses.</li> <li>• Dog Bag Dispensers and Additional Planters:- CW&amp;C have advised that their technical support team have started to process the licences preparing the documents for public consultation. There is a significant backlog, CW&amp;C will provide an idea of timescales within the next few weeks.</li> </ul>	
<p><b>395 ALLOTMENTS</b> 395.1 <u>Works at Site:-</u> The Council formally thanked the contractors for the excellent work that they have done and to all the Cllrs involved in organising the work. 395.2 <u>Allotments Car Park:-</u> The Council considered putting down hard core on the allotment's car park. The Clerk is to obtain quotes for the Council to consider. 395.3 <u>Allocation of allotment plots:-</u> Update as follows:- Two allotment holders have given notice on their plots. Cllr Higgle is to check on the state of the vacated plots before the key deposits are released There are currently four vacant plots. The Clerk is in the process of contacting the people on the waiting list.</p>	<p>RS     CH  RS</p>
<p><b>396 BUS SHELTERS / STOPS</b> 396.1 <u>Old Hall Street:-</u> The previous contact at CW&amp;C no longer works for the department, therefore details of the proposed location and design have been sent to both Stuart Bateman and John Ellis Jones and suggested a site meeting. 396.2 <u>Chester Road / Springfields:-</u> The Clerk has written to CW&amp;C to confirm that the Bovis bus shelter is to go at the top of Springfield Road near to the junction with Old Hall Street. This was previously agreed with CW&amp;C. Chester Road and the bottom of Springfield Road are just to have flags and poles installed.</p>	
<p><b>397 HIGHWAYS</b> To receive report and agree action regarding the following:-</p> <ul style="list-style-type: none"> <li>• Parking at Malpas Cemetery:- The Clerk at the Burial Board has been informed of the situation.</li> <li>• High Street - using the junction of High Street and Chester Road as a roundabout:- this is a police matter.</li> <li>• A41 Bus Service - Complaints regarding none use of face masks on this service by commuters:- this is not a parish council matter.</li> </ul>	

<b>398</b>	<b>SPEED LIMIT</b>		
<p>The Council has received a request from a resident for the Council to take action regarding enforcement of the 20 mph speed limit on Church Street. The police have been informed. The Community Speedwatch is due to commence with a new location on Church Street.</p> <p>The Council considered whether to purchase 20 mph stickers for wheelie bins belonging to properties located in the 20 mph zones and decided not to.</p>			
<b>399</b>	<b>CHESHIRE COMMUNITY ACTION</b>		
<p>The Council considered membership of Cheshire Community Action and decided not to take out membership.</p>			
<b>400</b>	<b>COMMUNITY MINIBUS</b>		
<p>The Council received report detailing an update and issues facing the Malpas Community Minibus Association including the longer term use of the Minibus.</p>			
<b>401</b>	<b>CLERK'S REPORT</b>		
<p>Update as follows: _</p>			
	<b>No</b>	<b>Item</b>	<b>Update</b>
	(i)	Zurich Insurance	Confirmed long term 3-year agreement.
	(ii)	Greenway Lane	<p>Complaint received regarding drivers using Greenway Lane.</p> <p>This has been reported to the Police who have given attention to the matter.</p>
	(iii)	CIL / NHB	Split the amounts in the accounts.
	(iv)	Trees at St Joseph's	Email sent to CW&C regarding the response about replacement trees at the site.
	(v)	OPAL Club	The Council have written to congratulate the Opal Club on being awarded with the Queen's Award for Voluntary Services 2020.
	(vi)	Thank you	Emails sent to Edward Timpson, Louise Gittins and Pam Bradley for attending the Zoom meeting.
	(vii)	Well Street	<p>Complaint received regarding vehicles driving into Lanceley Court, Malpas and turning around in the court entrance then driving the wrong way UP Well Street.</p> <p>This has been reported to the police.</p> <p>A request has been sent to Highways to see if there is anything that can be done regarding signage to draw attention to motorists that Well Street is a one way street.</p> <p>Despite the lines being repainted / blacked out at the Give Way junction drivers are still ignoring the junction. The Council has received a number of comments how dangerous this junction is. Request made to CW&amp;C whether there anything that can be done.</p>
	(viii)	Grant Applications	A further email has been sent to applicants to advise that grant applications are due to be considered at the next actual meeting of the parish council.
	(ix)	Overgrown Footway	Complaint received from resident regarding the public footpath between Oathills and Hollowood



		Road is overgrown with nettles and other plants and even a small tree at the Hollowood Road end so as to be unpassable. This has been reported to CW&C.	
(x)	Wrexham Road	CW&C has written regarding the building works at the Wrexham Road development.	
<b>402</b>	<b>EXTERNAL CORRESPONDANCE INCLUDING SUGGESTION BOX</b> List previously circulated to Cllrs.		
<b>403</b>	<b>UPDATES FROM OUTSIDE ORGANISATION REPRESENTATIVES</b> No updates.		
<b>404</b>	<b>PRESS AND PUBLIC</b> <b>Resolved:- To resolve to exclude the press and members of the public as the items to be discussed relate to contractual matters.</b> <b>Proposed by Cllr Webb and seconded by Cllr Charlton.</b> <b>The voting took place as follows:-</b> <b>For:- Cllrs. Boxall, Charlton, Clegg, Higgle, Lloyd, Picton Hughes, Waddelove, Webb, Whitehurst, Williams.</b> <b>Against:- none. Abstained:- none.</b>		

**The meeting closed at 10.10 pm.**

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

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