

**MINUTES OF MALPAS PARISH COUNCIL
HELD ON MONDAY 14TH DECEMBER 2020
USING THE ZOOM PLATFORM AT 7 PM**

	<p>PRESENT Cllrs Tina Barnett, Mike Boxall (Vice Chairman), Richard Charlton, Jackie Clegg, Charles Higgle, Karen Meredith, Adrian Waddelove (Chairman), John Webb, Chris Whitehurst, Michael Williams. The Clerk. No members of the public attended the meeting.</p>	
483	<p>APOLOGIES Cllrs Enric Sabia Picton Hughes, Michelle Lloyd.</p>	
484	<p>DECLARATION OF INTERESTS Cllr Charlton declared a pecuniary interest in item 488.3.1 of the minutes. Cllr Clegg declared a non-pecuniary interest in item 488.1 of the minutes. Cllr Webb declared a non-pecuniary interest in items 488.1 and 488.3.1 of the minutes. Cllr Whitehurst declared a non-pecuniary interest in items 488.1 and 488.3.1 and a pecuniary interest in item 488.2 of the minutes.</p>	
485	<p>APPROVAL OF THE MINUTES Resolved: The following amendment was made:- Item 471.1 Cllr Meredith was amended from having abstained to having voted For. After the above amendment has been made the Chairman is to then sign the minutes of the Parish Council meeting that was held on 9th November 2020 as a true and proper record. Proposed by Cllr Higgle and seconded by Cllr Barnett. The voting took place as follows:- For:- Cllrs Barnett, Charlton, Clegg, Higgle, Meredith, Waddelove, Webb, Whitehurst, Williams. Against:- none. Abstained:- Cllr Boxall.</p>	
486	<p>OPEN FORUM In the absence of any members of the public there was no consideration of this item.</p>	
487	<p>POLICE REPORT</p> <ul style="list-style-type: none"> • The police report had been circulated previously. • Concerns were raised about inconsiderate parking on Old Hall Street (including on the double yellow lines outside the doctors surgery) and Springfield Road. Members of the public are encouraged to report the registration numbers of the vehicles to the police and CW&C. The Clerk is to contact PCSO Hurst and request that action be taken. • Residents are urged to report any incidents of anti-social or criminal behaviour by calling 101. 	
488	<p>ACCOUNTS 488.1 <u>To consider and approve payment of Community Christmas card:-</u> Resolved:- The Council agreed to approve and pay £380.16 (chq no 353) for the cost of the printing of the Community Christmas Card which is to be delivered to residents living in Malpas Ward. Proposed by Cllr Higgle and seconded by Cllr Williams. The voting took place as follows:-</p>	

For:- Cllrs Barnett, Boxall, Charlton, Higgle, Meredith, Waddelove, Williams.

Against:- none. Abstained:- Cllrs Clegg, Webb, Whitehurst.

Resolved:- The Community Christmas Card has been well received by residents. The Council formally thanked the Community Links Executive Committee for producing and distributing the cards.

Proposed by Cllr Waddelove and seconded by Cllr Boxall.

The voting took place as follows:-

For:- Cllrs Barnett, Boxall, Charlton, Higgle, Meredith, Waddelove, Williams.

Against:- none. Abstained:- Cllrs Clegg, Webb, Whitehurst.

488.2 To consider and approve payment of hedging at The Mossland:-

Resolved:- The Council agreed to approve and pay £116.40 (chq no 356) in respect of hedging plants to be planted at The Mossland.

Proposed by Cllr Webb and seconded by Cllr Clegg.

The voting took place as follows:-

For:- Cllrs Barnett, Boxall, Charlton, Clegg, Higgle, Meredith, Waddelove, Webb, Williams.

Against:- none. Abstained:- Cllr Whitehurst.

488.3 To approve payments & bank reconciliation:-

488.3.1 Payments Approved:-

Chq No	Payee	Statutory Power	Amount
347	GRANT:- Royal British Legion	s.137	£ 100.00
348	Running Costs	s.111	£ 34.33
349	Zoom (Reimburse R Shackleton cost)	s.111	£ 143.88
350	Reimburse R Charlton for Zoom	s.111	£ 14.39
351	PKF Littlejohn LLP (annual audit)	s.111	£ 360.00
352	Walkers (Christmas Trees)	s.137	£ 604.67
354	GRANT:- Malpas Community Minibus	s.137	£ 750.00
355	GRANT:- Kidspace	s.137	£ 800.00

The Clerk's salary was paid by standing order.

Resolved:- The Council agreed to the above payments.

Proposed by Cllr Higgle and seconded by Cllr Boxall.

The voting took place as follows:-

For:- Cllrs Barnett, Boxall, Higgle, Meredith, Waddelove, Williams.

Against:- none. Abstained:- Cllrs Charlton, Clegg, Webb, Whitehurst.

488.3.2 Receipts Received as at 31st October 2020:-

No receipts received.

488.4 Bank Account:-

The reconciled balance in the current bank account as at 31st October 2020 was £ 151,485.38.

The funds are allocated as follows:-

Parish Council - £47,469.81

Christmas Lights Funding - £146.40

New Homes Bonus - £25,987.33

Community Infrastructure Levy (CIL):- £74,705.05

Allotments (balance of £3,600 transferred from NHB allocation) - £0.00

Allotment Deposits (ring fence in accounts) - £700.00

Neighbourhood Plan - £678.22

Insurance claim - £1,798.57

Resolved:- The Council accepted the reconciled bank balance as detailed above.

Proposed by Cllr Webb and seconded by Cllr Boxall.

The voting took place as follows:-

For:- Cllrs Barnett, Boxall, Charlton, Clegg, Higgle, Meredith, Waddelove, Webb, Williams, Whitehurst.

Against:- none. Abstained:- none.

488.5 Will Legacy:-

There has been no feedback regarding the gentleman who bequeathed the legacy to the Council. The Council are to consider how to spend the legacy when discussing the precept in January.

489 **ANNUAL AUDIT**

PKF Littlejohn LLP have written to advise that they have completed their review of the Annual Governance & Accountability Return (AGAR) for Malpas Parish Council. The External Auditor Report and Certificate has been forwarded to Cllrs. This contains matters arising from the review which the Council must consider and decide what, if any, action is required.

The External Auditor Report states the following:-

“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.”

Under other matters arising on the External Auditor Report it states the following:-

“Other matters not affecting our opinion which we draw to the attention of the authority: We note that the smaller authority did not comply with Regulation 15 of the Accounts and Audit Regulations 2015 as amended by SI 2020/404 the Accounts and Audit (Coronavirus) (Amendment) Regulations 2020 as it failed to make proper provision during the year 2020/21 for the exercise of public rights, since the approval date was the same day the period for the exercise of public rights commenced. As a result, the smaller authority must answer ‘No’ to Assertion 4 of the Annual Governance Statement for 2020/21 and ensure that it makes proper provision for the exercise of public rights during 2021/22.

The smaller authority has confirmed that it has not complied with the governance assertion in Section 1, Box 9, but it has provided the appointed auditor with an adequate explanation for non-compliance and details of the actions necessary to address weaknesses identified. It is recommended that the legal status of the potential trust fund is established and the necessary action taken in a timely manner.”

The Notice of Conclusion of Audit (which details the rights of inspection in line with statutory requirements) has been completed and posted on both the website and the Council Noticeboard.

The certified AGAR (sections 1, 2 and 3) have been published on the Council’s website.

The Council noted the External Auditor’s Report and considered the other matters arising:-

- The Council will ensure that it makes proper provision for the exercise of public rights during 2021/22.

- The Council are taking necessary action to establish the legal status of the potential trust fund, known as The Mossland.

490 ASSET CHECKS

The Clerk has carried out a visual inspection of the assets owned by the Council.

The following observations were made and details of the actions required:-

Item	Observations	Action required
Wooden Bench at Jubilee Hall, High Street	- One of the wooden slats is loose - Paintwork requires attention	- Repair slat - Paint bench
Jubilee Hall Clock, High Street	Bulb needs replacing	Clerk to arrange cherry picker to carry out work
Bus Shelter, Chester Road	Varnish peeling in places	Re varnish bus shelter
Wooden Bench on Chester Road	Metal frame requires attention as it is peeling in places	Paint metal work
Flower planters at various locations	The white band around the planters is peeling off in parts	No action
Clayhole Croft	Lots of leaves and abandoned bike	The area has since been tidied. The bike is to be restored and sold with the proceeds donated to charity.
The Cross, High Street	There is a lot of green algae on the cross	Defer to next year.

The Clerk is to obtain quotes to carry out the actions required and report back to the Council.

491 PLANNING

491.1 Applications:-

20/03025/FUL - Single storey side extension (change of description and amended plans) at Little Hayes, Hayside Walk, Malpas

The following observations were previously submitted to CW&C:- This application is in the conservation area and the Council would want to ensure that the conservation officer is happy with all aspects of this application. The Council would also wish to ensure that it doesn't adversely affect the neighbours amenities. Neighbourhood Policy BE3 applies to this application.

20/04253/FUL - Loft conversion with a rear facing dormer and single storey rear extension at 11 Springfield Road, Malpas

Resolved:- Neighbourhood Plan policy BE3 applies to this application. This application is for work to the rear of the property and will not affect the street scene. The Parish Council would want to ensure that the neighbour's amenities are not adversely affected. The loft conversion has the potential to overlook the neighbour's gardens.

Proposed by Cllr Higgie and seconded by Cllr Webb.

The voting took place as follows:-

For:- Cllrs Barnett, Boxall, Charlton, Clegg, Higgie, Meredith, Waddelove, Webb, Williams, Whitehurst.

Against:- none. Abstained:- none.

20/04528/TPO - Double row of pollarded Lime trees: all the Limes be felled, the stumps are ground down and replacement young Limes are established at Land Adjacent To Car Park, St Oswald's Church, Church Street, Malpas

Resolved:- This is in the conservation area and the Parish Council are pleased to note that the trees will be replaced. If the planning officer is minded to pass this application the Council would like it conditioned that :-

1) The replacement trees be subject to a Tree Preservation Order to ensure that the tree avenue is preserved for future generations.

2) Under the Neighbourhood plan it states that for every tree felled two should be planted. It may not be practicable to plant the extra trees on the avenue but it should be conditioned that they be planted elsewhere in Malpas. CW&C have circulated a letter stating that they have received a share of £12 million to plant trees in the bough. In view of this the Council would expect them to support this application and our conditions.

Proposed by Cllr Higgle and seconded by Cllr Webb.

The voting took place as follows:-

For:- Cllrs Barnett, Boxall, Charlton, Clegg, Higgle, Meredith, Waddelove, Webb, Williams, Whitehurst.

Against:- none. Abstained:- none.

491.2 To consider any applications received after the agenda has been distributed:-

There have been no new applications received.

491.3 Recent decisions by CW&C:-

Approved:-

19/01974/S73 – The Cedars, Old Hall Street, Malpas

19/03841/FUL – Woodhouse Farm, Dymocks Mill Lane, Oldcastle, Malpas

19/03842/FUL - Dog Lane Farm, Dog Lane, Oldcastle, Malpas

20/00669/FUL – Ebnal Bank, Ebnal Lane, Malpas

20/01826/S73 – Land at Chester Road, Malpas

20/01904/FUL – Alport Farm, Overton Heath Lane, Overton, Malpas

20/01909/FUL - The Crown Hotel, Old Hall Street, Malpas

20/02159/S73 – land at Old Hall Street, Malpas

20/03156/FUL – Lower Moss Farm, Higher Wych Road, Wigland, Malpas

20/03527/FUL – Old Hall Residential Home, Old Hall Street, Malpas

491.4 Bovis:-

The Clerk has contacted Bovis again to press for a meeting to go through items discussed. They have apologised for the delay in getting back and are happy to have a virtual meeting and are due to get in touch to organise a suitable time.

The Clerk is to contact the head of planning at CW&C to convey the Council's concerns as the Council has been trying to arrange this meeting for several months and is concerned that Bovis will leave the site with various matters unresolved.

491.5 To receive planning updates:-

491.5.1 The Beeches, Tilston Road:- The Council has received notification of a road closure to enable CW&C to carry out works to trees at The Beeches, Tilston Road.

The Council has written to CW&C to express their concerns as the trees are within the Malpas Conservation area and are protected by Tree Preservation orders. The Parish Council ought to have received a planning application to remove the trees. The Council has urgently requested further information regarding the removal of the trees.

491.5.2 Planning Briefing:- Cllr Whitehurst attended the briefing regarding the government proposed planning reform and offered to circulate the CW&C briefing to Councillors on request, although the Council understands the

	Government has since announced that it will be amending its planning reform proposals and, therefore, updated briefings will be required.	
492	<p>BUSINESS PRIORITIES</p> <p>The business priorities and projects for the next financial year (2021 – 2022) were agreed at the October meeting.</p> <p>Cllr Boxall circulated a report prior to the meeting suggesting that Councillors discuss what the Council wish to achieve with the budget and the options available in the budgeting process before setting the precept in January.</p> <p>The Council are mindful of the financial pressures on many of their constituents and the likelihood that other elements of the Council Tax bill will be rising due to the severe financial strain on other public bodies (e.g. CW&C, the police and fire services etc).</p>	
493	<p>COMMITTEES</p> <p>There have been no formal meetings held of the Finance, Planning and Personnel Sub Committees.</p> <p>The Planning Sub Committee have held informal meetings. The Personnel Sub Committee has held an informal meeting and is awaiting further information before arranging a formal meeting.</p> <p>There were mixed feelings when Councillors discussed the TOR's for the sub committees. It was felt by some Councillors that the TOR's did not address the individual requirements for each sub committee.</p> <p>It was recommended by CHALC that the Council set up the sub committees to ensure transparency when dealing with planning, personnel and financial matters.</p> <p>The Council agreed to hold an extraordinary meeting on 25th January 2021 to set the precept. The business meeting on 11th January 2021 will be mainly to discuss car parking and the workings of the sub committees.</p>	
494	<p>CHRISTMAS</p> <p>494.1 <u>Lighting in the Village:-</u> Ward Cllr Rachel Williams has circulated a report to the Council regarding the street Christmas lighting this year in the village and the proposed plans for next year. The Council formally thanked all those involved in putting up the street lighting and the small Christmas trees in the village.</p> <p>494.2 <u>Old Christmas Street Lights:-</u> The Council discussed where the old Christmas street lights could be placed. Cllr Williams is to take the lead and suggest alternative locations to the Council.</p>	
495	<p>APPEARANCE OF MALPAS</p> <p>495.1 <u>Planters / Dog Bag Dispensers:-</u> The Clerk has chased CW&C for an update regarding the licences. CW&C have yet to reply.</p> <p>495.2 <u>Bench:-</u> Cllr Higgle has spoken with the widow of the late Mr John Lewis regarding a location for a bench to be situated on Chester Road. Cllr Whitehurst is to meet with CW&C to discuss a suitable location.</p>	
496	<p>ALLOTMENTS</p> <p>496.1 <u>Update:-</u></p> <ul style="list-style-type: none"> - There is one vacant plot (no 5). - The Chairman of the Allotments Association has advised that plots 5 and 6 are currently under water therefore unsuitable for use. - Any new enquiries received are to be added to the waiting list. 	

- Plot 12:- Paperwork processed for new tenant of plot 12
- Key Deposit for Plot 7:- An email has been sent to the previous allotment holder to advise that one of the conditions of being a tenant was to leave the plot in a reasonable condition or the deposit would have to be forfeited. The Chairman of the Allotments Association had advised that the key deposit should not be returned in accordance with the Tenancy Agreement. The allotment holder disagreed with the decision. The Council has written to advise that there is a right of appeal to the full Parish Council and invited the tenant to attend the next meeting of the Council and explain to Councillors why the rule should be waived regarding the refund of the key deposit.

496.2 Terms and Conditions of the Tenancy Agreement:-

Cllr Boxall circulated a report prior to the meeting :-

In October, revised drafts of the Allotments Agreement and Allotments Policy were circulated to Councillors and received a few minor comments but no major concerns were raised.

Cllr Boxall has since met with Mr Howard Enstone, Chair of the Allotments Association, and asked that he share the draft with all the tenants and let Cllr Boxall have any comments. This is in parallel with the Council's decision to encourage Mr Enstone to take a greater role in the day to day management of the Allotments, as agreed in Council meetings in September and October.

Cllr Boxall has since spoken to Mr Enstone and explained that the Council needs to understand how the Tenants Association is to function (e.g. a simple constitution to reassure the Council that all tenants have a voice in decisions that are made). Mr Enstone has agreed to get all the tenants together, but suggested that might be easier in the early spring, when everyone will be thinking about working their allotments again.

Mr Enstone has also arranged the hire of a digger and cleared the drain along the northern edge of the allotments which has helped to improve the drainage of the site. Allotment holders contributed to cover the cost of the digger.

There will be a further update after the meeting with tenants in February / March.

497 BUS SHELTERS / STOPS

497.1 Old Hall Street:-

Ward Cllr Rachel Williams is due to follow up an update from CW&C.

497.2 Springfield Road:-

Highways are yet to confirm the installation date.

498 ZOOM

The Clerk has set up an annual subscription for a Zoom account and new email account specifically to arrange Zoom meetings.

The Clerk has attended a training session on Zoom meetings held by CHALC.

499 CLERK'S REPORT

Update as follows: _

No	Item	Update
(i)	Jubilee Clock Service	The Clerk has contacted the cherry picker handler to arrange the service. He has advised that he is unable to supply the cherry picker. Other contacts to be followed up.
(ii)	Storeroom	The Clerk has contacted CW&C to request that the window is repaired. They have replied to say that they will check the window and advise.
(iii)	Small Christmas Trees	Walkers Nurseries have supplied the small Christmas trees this year.

		They have been delivered and put up. Invoices have been prepared and delivered to collect monies from local businesses / residents.
(iv)	Safety Mirror	A letter to request for permission for a safety mirror to be installed at the Mastiff Lane junction has been sent to the landowners.
(v)	Parish News	An email has been sent to advise that the Council has decided not to submit any copy for the next three issues of the Parish News and to request they suspend the invoice until the Parish Council decide whether to continue advertising in the Parish News after this time.
(vi)	Whitchurch Road - flooding	Reported to CW&C on 24/11/20. CW&C replied to advise they have raised a job to have the highway drainage system attended to. The Clerk is to follow this up.
(vii)	Insurance	The new Christmas Lights have been added to the Council's Fixed Assets Register and an email has been sent to Zurich to add the item to the insurance schedule.
<p>500 EXTERNAL CORRESPONDENCE INCLUDING SUGGESTION BOX</p> <p>500.1 List previously circulated to Cllrs.</p> <p>500.2 Vehicles Parked with Engines Running:- The Council has received complaints about vehicles parked with the engines running on Old Hall Street (near the McCarthy Stone development) and at Oathills (near the Bishop Heber High School).</p> <p>Resolved:-</p> <p>The Council agreed to the following actions:-</p> <ul style="list-style-type: none"> - To communicate via the Parish News, and local newspapers, that it is illegal and harmful, particularly to those with respiratory problems. - To ask the schools to explain to pupils and parents the reasons why the engine should be turned off whenever a car is parked. - To seek assistance from the local police in enforcing the law in this regard. - To make enquires with the local schools about putting up "switch your engines off" banners close to the schools (the Clerk is to clarify the position about displaying banners with CW&C). <p>Proposed by Cllr Boxall and seconded by Cllr Webb.</p> <p>The voting took place as follows:-</p> <p>For:- Cllrs Barnett, Boxall, Clegg, Higgle, Meredith, Waddelove, Webb, Williams, Whitehurst.</p> <p>Against:- none. Abstained:- Charlton.</p>		
<p>501 UPDATES FROM OUTSIDE ORGANISATION REPRESENTATIVES</p> <p>501.1 St Oswald's Church:- Canon Ian Davenport has announced that he will be retiring in April 2021.</p>		

The meeting closed at 8.55 pm.

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

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