

**MINUTES OF MALPAS PARISH COUNCIL MEETING
HELD ON MONDAY 12TH JULY 2021
IN THE JUBILEE HALL AT 7.00PM**

	PRESENT Chairman Cllr John Webb Cllrs Mike Boxall, Richard Charlton, Jackie Clegg, Morgan Granger, Karen Meredith, Sherrie Roberts Abdelaziz, Chris Whitehurst, Michael Williams. The Clerk. Two members of the public attended part of the meeting.
56	APOLOGIES Cllr Tina Barnett, Charles Higgie, Michelle Lloyd, Gordon McGregor Reid, Adrian Waddelove.
57	DECLARATION OF INTERESTS Cllr Whitehurst declared a non-pecuniary interest in item 67.1.2 (application 20/2482/FUL) of the minutes (the applicant is an associate). Cllr Meredith declared a pecuniary interest in item 67.1.1 (application 20/2012/OUT) of the minutes (the applicant is a neighbour). Cllr Meredith declared a non-pecuniary interest in item 67.1.2 (application 20/2482/FUL) of the minutes (the applicant is a friend).
58	APPROVAL OF THE MINUTES <u>Minutes of the Parish Council Annual Meeting on 14th June 2021:-</u> Resolved:- Item 54 was amended from “Anne” to “Sue”. The Chairman is to sign the amended minutes of the Parish Council Business Meeting held on 14th June 2021 as a true and proper record. Proposed by Cllr Charlton and seconded by Cllr Boxall.
59	OPEN FORUM - Shelly Vickers informed the meeting that she wished to withdraw her grant application as she felt there was too much red tape involved in the process and has decided to fundraise instead towards the project. - Simon Kettle, Planning Agent, spoke to the meeting in support of planning application 21/02012/OUT and to respond to the Malpas Parish Council Planning Application Report including infill policy, the height of the buildings, current use of the land, street setting, site plans.
60	POLICE REPORT PCSO Jon Hurst sent his apologies. The police report had been circulated previously and was noted. Cllr Clegg noted there was a lack of information in the report. Concerns were raised regarding response times when calling to report incidents using the 101 contact number. Residents are urged to report all incidents of anti-social or criminal behaviour by calling 101.
61	INTERNAL PROCEDURES 61.1 <u>To adopt amended Complaints against Councillors policy:-</u> Resolved:- The Council agreed to adopt the amended Complaints against Councillors Policy. Proposed by Cllr Charlton and seconded by Cllr Meredith. 61.2 <u>Review of Council Policies:-</u> There has been no progress regarding reviewing / amending other council policies.
62	AUDIT The External Auditor has yet to return their report therefore the item was deferred.

63

ACCOUNTS

63.1 To approve payments:-

Chq No	Payee	Statutory Power	Amount
391	Running Costs	s.111	£ 72.10
392	Clerks Salary - Jun (payment for additional hours)	lga 112-119	£ 159.86
393	HMRC (mth 4 2021 - 2022 financial year)	lga 112-119	£ 40.00
394	CDTS Ltd (wildflower planting - Members Budget to reimburse the Council)	s.137	£1,020.00
395	Walkers Nurseries (planter refills and hanging baskets)	LGA 1972 S.144	£ 726.54
396	CHALC (training)	s.111	£ 50.00

Cllr Boxall suggested that the Council wait until the payment from the Member's Budget has been received before payment was made to CDTS Ltd. Cllr Whitehurst explained that the payments can take some time before they are processed and subsequently paid by CW&C.

The Clerk's salary was paid by standing order.

Resolved:- The Council agreed to the above payments.

Proposed by Cllr Charlton and seconded by Cllr Williams.

63.2 Receipts Received as at 30th June 2021:-

VAT Refund:- £2,079.97.

63.3 Bank Account:-

The reconciled balance in the current bank account as at 30th June 2021 was £165,717.58.

The funds are allocated as follows:-

Parish Council - £50,500.11

Christmas Lights Funding - £146.40

New Homes Bonus - £28,949.83

Community Infrastructure Levy (CIL):- £80,510.85

Allotments (balance of £3,600 transferred from NHB allocation) – (£116.40)

Allotment Deposits (ring fence in accounts) - £750.00

Neighbourhood Plan - £678.22

Insurance claim - £1,798.57

Will Legacy:- £2,500.00

63.4 Budget to Date figures as at 30th June 2021:-

The Council received the budget to date figures as at 30th June 2021. There were a number of queries raised before the meeting which the Clerk has responded to.

Resolved:- The Council received and noted the budget to date figures as at 30th June 2021.

Proposed by Cllr Charlton and seconded by Cllr Williams.

64

BANK ACCOUNT

The Clerk is in the process of completing the paperwork to open a bank account with the Co-operative Bank.

65

GRANTS

There was no consideration of the Malpas Community Clean up grant application as it has now been withdrawn.

66	SURGERIES There was a three way surgery on Saturday 10th July in the Highs Street car park, the Council, Ward Councillor and the police were in attendance. Issues raised by members of the public included an abandoned vehicle on Church Walk and speeding concerns on Chester Road. The Council considered holding regular three way surgeries with the Ward Councillor and the police. It was felt that the surgeries ought to take place in a more prominent location on the High Street. Cllr Whitehurst reminded the Council there was a process in place for Parish Council surgeries. Cllr Webb is to discuss future arrangements for the three way surgeries with PCSO Hurst and Ward Cllr Williams.
67	PLANNING 67.1 <u>Planning Applications:-</u> Cllrs discussed the content of the new Planning Application Reports and what they are aiming to achieve. It was agreed that the Council need to revisit the process. 67.1.1 21/02012/OUT - Residential development of 3 terraced cottages and 2 detached houses with associated private access drives, garages and carports at Land Adjacent To Broselake Farm Greenway Lane Malpas The Council considered the comments that were made in the Open Forum and, where appropriate reflected in the conclusions reached. The Council agreed that a response be drafted to take account of views expressed. Observations:- The Council made the following observations:- • If CW&C is minded to approve the application the Parish Council request that the following conditions be included: - The inclusion of a condition that requires further archaeology investigations on the site in relation to its proximity to the heritage asset Broselake Farm heritage asset. - Removal of permitted development rights. - The Council has declared a climate emergency and would expect all proposals for new developments to recognise this, specifically by ensuring new properties are at least carbon neutral, avoid the use of fossil fuels and have facilities for charging electric vehicles • Background Factors:- Within settlement boundary; Listed Building. • Relevant Neighbourhood Plan Policies:- H1, H3, H4, BE1, BE2, BE4, BE5, LC1 & LC3 • Positive aspects of development:- Potential benefits to the community - Retention of the existing trees on the site. • Material considerations against development:- - Potential impact on neighbours:- The Council ask if this development contravenes the infill policy contained in the CW&C Local Plan; Reduction in the garden area of the separated Broselake Farm; Loss of orchard area of the separated Broselake Farm. - Potential impact on wider community:- Whilst this is a modest development, it adds to the cumulative 100% increase of approved new dwellings (400) in Malpas. This in relation to the CW&C 2010 sustainability assessment of just 200 dwellings. To date there has been limited investment in infrastructure.

The proposal may affect the setting of the Grade 2 listed heritage asset, Broselake Farm and the Malpas Conservation area as indicated in inspectors appeal decisions on previous applications in the adjacent area. (13/02382/OUT & 12/04687/OUT). Consideration should be given to the impact the development will have on the character and surroundings of the Grade 2 listed building. policies DM1, DM3, and DM19 of the CW&C Local Plan (part two).

Broselake Cottage, Broselake Farm and Lydgate are all built at Greenway Lane street level. If permission is granted, it is important that the new dwellings on Greenway Lane are built to the same level.

The application Heritage Impact Assessment suggests that this terrace is to be in similar scale and style to Broselake Cottage. Whilst the style may be similar, the scale of these properties appears to be more akin to the scale of Broselake Farmhouse rather than the low height Broselake Cottage.

On the proposed site plan, Plot 1 has 2 car park spaces allocated; however, these spaces will require a further access to the site to be made in addition to the one already shown.

A new visibility display will need to be included, which may impact on the proposed retention of the existing hedge line currently bordering Greenway Lane.

Increased traffic on the narrow single track Greenway Lane, potentially posing a safety risk to pedestrians, as the lane is primarily used by many residents for exercising or a leisure walk around the village. However, this development, if approved, should not have rights of access up or down Greenway Lane to Chester Road.

This is also used as a primary access route for school children attending the Bishop Heber High school.

Plot's 4 and 5 design which includes roof lights, it is important that these are sympathetic to the Greenway Lane street scene.

The Council would want assurance that bin storage is indicated on the site plan for plot 1.

No indication of any cycle storage facilities.

- Other relevant information:-

- The application relies on archaeology reports from surrounding developments. With the historic Malpas Pinfold located directly opposite the development site, there is potential for archaeology deposits to still remain undiscovered. Hence the request for further archaeology investigations.
- Building in the garden area will potentially cause unacceptable harm to the character and setting of the Grade 2 listed Broselake Farm.
- Both CW&C and the Council have declared a climate emergency and would therefore want to ensure that these principles are applied to this application. In line with if the authority is minded to approve this application then we would expect the dwellings to be carbon neutral, e.g. with renewable sources of heating and low level lighting used.

67.1.2 21/02482/FUL - Creation of 4 ponds at Ebnal Bank Farm Ebnal Lane Malpas

Observations:- The Council made the following observations:-

The Council supports this application because:-

- Background Factors:- Open countryside.
- Positive aspects of development:- Potential benefits to the community include the enhancement of local wildlife facilities.
- Material considerations against development:- Potential impact on neighbours includes the impact on houses on Mates Lane, where flooding is already occurring

	due to run off from the adjacent field. (C1-059 refers). Also impact on Ebnal Old Hall (C1-056 refers). 67.1.3 21/02086/FUL - Two storey rear extension at 34 Springfield Road Malpas Observations:- The Council made the following observations:- • Background Factors:- Within settlement boundary. • Relevant Neighbourhood Plan Policies:- B3 • Material considerations against development:- Potential impact on neighbours (Potential impact on neighbours amenity). Resolved:- The Council agreed to accept the above planning observations. Proposed by Cllr Whitehurst and seconded by Cllr Roberts Abdelaziz. 67.2 <u>To consider any applications received after the agenda has been Distributed:-</u> None have been received. 67.3 <u>Recent decisions by CW&C:-</u> Approved:- 20/04830/FUL - The Tithebarn Church Street Malpas 20/04831/LBC - The Tithebarn Church Street Malpas 21/01292/FUL - 23 Hughes Lane Malpas 21/01812/S73 - Dog Lane Farm Dog Lane Oldcastle Malpas 67.4 <u>Delayed Meeting with Bovis:-</u> Cllr Webb, Cllr Whitehurst, Ward Cllr Williams and the Clerk met with Bovis Homes to discuss outstanding issues on Friday 9th July 2021. The notes of the meeting are to be circulated to residents and the Council. 67.5 <u>CW&C - Local Plan Early Conversation 2021:-</u> The Planning Steering Group are to consider Council's response to the consultation.
68	ALLOTMENTS 68.1 <u>To agree revised Tenancy Agreement, Allotment rules and Allotment Association Constitution:-</u> The documents were prepared in discussion with the tenants and were circulated by Cllr Boxall prior to the meeting. Resolved:- The Council agreed to adopt the revised Tenancy Agreement, Allotment Rules and the Allotment Association Constitution. Proposed by Cllr Whitehurst and seconded by Cllr Meredith. 68.2 <u>To identify redundant deposit money for spending on allotment maintenance:-</u> The Council identified £250.00 redundant deposit money in the Council's accounts due to deposits not being returned to allotment holders. This money is to be moved to the amount ringfenced in the Council's accounts for allotments maintenance. Resolved:- The Council agreed to move £250.00 from the Allotment Deposits that are ring fenced in the bank account to the Allotments Maintenance in the bank account. Proposed by Cllr Boxall and seconded by Cllr Clegg.
69	HIGHWAYS 69.1 <u>Church Street Closure:-</u> CW&C have written to update residents and the Council:- "Following the collapse of a section on wall at St Oswald's Church Malpas, CW&C commissioned a structural engineer to inspect the boundary walls and provide advice on the repair work needed. On the advice of the engineer two main stages of work will be undertaken – stage one is the temporary works to make the wall safe and stage two is the permanent repair of the wall.

	Suitable contractors have now been appointed and the temporary works are due to start site on Monday 19 July. It is anticipated that the work will take approximately six weeks to complete. Work will be carried out Monday to Friday between 7.30 am to 4.30 pm with possible weekend working. Some of the work may generate noise and we apologise for any inconvenience this may cause. Please note the timeframe for completion assumes that there are no unexpected disruptions to the planned works. Our aim is to have the temporary works completed so that the road can be re-opened in time for the schools returning following the summer holidays. We are now in a position to start preparing a program for the permanent repairs to the wall, which will involve some future road closures, details of which will be provided once they are available.” The letter is to be posted on the website and the noticeboard. 69.2 <u>Bradley Bridge Damage:-</u> Work has now been completed on the repairs. Ward Cllr Williams has requested additional road signage and a non-slip road surface.								
70	VILLAGE INTEGRATION EVENT Cllr Charlton updated the meeting regarding the arrangements for the Village Integration Day on Saturday 24th July regarding stall attendees, the raffle, arrangements for the risk assessment and insurance. Cllr Charlton is to contact Hilary Smith, CW&C, regarding content of the questionnaire.								
71	APPEARANCE OF MALPAS 71.1 <u>Planters / Dog Bag Dispensers:-</u> The licences have been received from CW&C. The Clerk has signed and returned the paperwork to CW&C. The Clerk is to order the planters and make arrangements for CW&C to install the Planters and Dog Bag Dispensers. 72.2 <u>Bench:-</u> The Clerk has applied for the S115E licence. Once the licence has been approved, the Clerk will order the bench and make arrangements with CW&C to install it on Chester Road.								
72	WARD WALK Cllr Webb, Ward Cllr Williams and the Clerk attended a pre meeting with Hilary Smith (CW&C) to go through items for the ward walk. Cllrs are invited to submit any matters to be brought to the attention during the ward walk scheduled for Wednesday 14th July.								
73	THE QUEEN’S GREEN CANOPY The Council considered action regarding ‘plant a tree’ for the Jubilee celebrations in June 2022 and agreed to pursue the matter.								
74	CHESHIRE COMMUNITY ACTION The Council considered membership of Cheshire Community Action. Resolved:- The Council agreed to renew membership with Cheshire Community Action at a cost of £50.00 p.a. Proposed by Cllr Boxall and seconded by Cllr Granger.								
75	GRANT REQUEST The Council considered the request for a grant received from the newly formed Malpas Girl’s Football Team. Cllr Webb suggested that if the amount allocated for grants is not used up when the grant applications are made then any surplus ought to be available for grant applications submitted later on in the financial year. The grant request made is not to the Council’s timetable. Therefore the Council discussed making process more flexible. Cllr Whitehurst is to draft a change to grant rules for consideration at the meeting in August. The Clerk is to send an application form to the Malpas Girl’s Football Team.								
76	CLERK’S REPORT <table><tr><th>No.</th><th>Item</th><th>Update</th></tr><tr><td>76.1</td><td>The Mossland</td><td>The solicitor is working on the draft statutory declaration and has requested further information which has been provided.</td></tr></table>			No.	Item	Update	76.1	The Mossland	The solicitor is working on the draft statutory declaration and has requested further information which has been provided.
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			Meeting arranged to go through the Draft Statutory Declaration with the solicitor.
	76.2	Community Governance	CW&C has written to advise there will be a Community Governance Review Committee meeting in September. CW&C enquired whether the Council has had any further queries regarding a possible review of the parish. The Clerk has contacted Cuddington Parish Clerk to request an update regarding the proposed merger. The Clerk has advised that next Cuddington Parish Meeting with residents is scheduled to take place in October when they hope to have an update.
	76.3	Bovis	Site meeting arranged – Friday 9 th July.
	76.4	Jubilee Hall	Attended meeting regarding future arrangements. Information obtained from Cheshire Community Action regarding the relationship between Parish Councils and Village Halls.
	76.5	Bank Accounts	Ongoing with the Co-operative Bank. The website has a message to advise they are currently experiencing extremely high demand for business current accounts resulting in significant delays of more than 12 weeks for processing and opening accounts.
	76.6	Hanging Baskets	Delivered and distributed in the village.
	76.7	St Oswald's Close	Grass has now been cut and residents informed.
	76.8	Village Integration Event	Contacted various organisations to forward information regarding the event.
	76.9	Planning	Complaint sent to Planning regarding application 21/01858/LDC as the Council did not receive notification. CW&C has replied to advise they do not consult on these applications. The applicant was seeking a determination as to whether the extension is permitted development. This is not a question of merit or planning policy but instead a matter of law so any representations made would not carry weight.
	76.10	Planning Query	Responded to enquiry from planning consultant.
	76.11	Allotments Query	Five deposit were not released to previous tenants due to the state they left the plot in (total £250.00). Enquiries made with CHALC whether these funds can be released for maintenance expenditure at the allotment site. CHALC advised "This will just be income from the allotments and used the same way as any other – so maintenance and repair was what they were collected for and is reasonable use for the money"
	76.12	Standing Orders / Finance Committee	The role of the Clerk / RFO in facilitating Council and Committee meetings was clarified.
77	EXTERNAL CORRESPONDENCE INCLUDING SUGGESTION BOX List previously circulated to Cllrs.		
78	UPDATES FROM OUTSIDE ORGANISATION REPRESENTATIVES 78.1 Hughes Lane:- Stuart Milne are due to carry out an upgrade to Hughes Lane. This will involve a temporary footpath through the Recreation Ground and temporary double yellow lines at the junction with Tilston Road. 78.2 Highways:- CW&C have advised that Streetcare are now responsible for the		

	maintenance of grass verges.
	PART TWO
79	PRESS AND PUBLIC Resolved:- To resolve to exclude the press and members of the public as the items to be discussed relate to employment and contractual matters and are of a sensitive nature. Proposed by Cllr Boxall and seconded by Cllr Clegg.

The meeting closed at 9.20 pm.

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

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