

**MINUTES OF MALPAS PARISH COUNCIL MEETING
HELD ON MONDAY 10TH JANUARY 2022
IN THE HIGH STREET CHURCH, MALPAS AT 7.00PM**

	PRESENT Cllrs Mike Boxall, Karen Meredith, Richard Charlton, Charles Higgie, Pauline Hood, Santa Makuza, John Webb (Chairman), Chris Whitehurst, Michael Williams. The Clerk. No members of the public attended the meeting.
209	APOLOGIES Cllrs Tina Barnett, Morgan Granger, Sherrie Roberts Abdelaziz, Adrian Waddelove.
210	DECLARATION OF INTERESTS Cllr Webb declared a non-pecuniary interest in item 222.2 of the minutes. Cllr Whitehurst declared a non-pecuniary interest in item 216 of the minutes and submitted a Request for Dispensation. The Council agreed to grant the request.
211	APPROVAL OF THE MINUTES <u>Minutes of the Parish Council Meeting on 10th December 2021:-</u> Resolved:- The Chairman is to sign the minutes of the Parish Council Business Meeting held on 10th December 2021 as a true and proper record. Proposed by Cllr Higgie and seconded by Cllr Boxall.
212	OPEN FORUM In the absence of any members of the public there was no consideration of this item.
213	POLICE REPORT The police report had been circulated previously. PCSO Hurst sent his apologies. The police are due to carry out a speeding and parking initiative in Malpas in conjunction with CWaC and the Parish Council. Residents are urged to report all incidents of anti-social or criminal behaviour by calling 101.
214	CASUAL VACANCY There have been no expressions of interest. The Council are to invite a resident of Cuddington to be co-opted onto the Council.
215	DEFIBRILLATOR Cllr Williams spoke to the meeting about purchasing a defibrillator and installing it outside the Jubilee Hall. The Council are to seek permission from the Jubilee Hall Committee.
216	QUEENS PLATINUM JUBILEE EVENT Cllr Whitehurst circulated a paper detailing the proposed plans in the village for the Queen's Platinum Jubilee in June. He suggested that it should be an all inclusive event for the community coordinated by the Council and Community Links. Cllr Higgie informed the meeting that he had carried out an unofficial poll via social media regarding the proposed plans involving a giant television screen to televise the event and a firework display. The overwhelming opinion was opposed to the suggestion of a giant television screen; there was some support for a firework display. The Council discussed whether to provide financial support for a giant television screen to televise the event and agreed not to. Resolved:- The Council are happy to support the event in principle and would consider financial support in the region of £3,000.00 appropriate. The Council offered physical support to assist with the organisation of the event and look forward to meeting with Community Links in due course. Proposed by Cllr Higgie and seconded by Cllr Webb.

217	PARISH NEWS The Council are to write to congratulate the new editor of the Parish News on being awarded a CBE in the New Year's Honours list. The Council agreed to defer discussion of the item.																
218	ACCOUNTS 218.1 <u>To approve payments:-</u> <table><tr><th>Chq No</th><th>Payee</th><th>Statutory Power</th><th>Amount</th></tr><tr><td>438</td><td>Replacement cheque - CHRISTMAS:- Zurich Insurance (insurance cover for event)</td><td></td><td>£ 288.96</td></tr><tr><td>439</td><td>Running Costs</td><td>s.111</td><td>£ 24.19</td></tr><tr><td>441</td><td>HMRC (employers NIC)</td><td>lga 112-119</td><td>£ 64.56</td></tr></table> The Clerk's salary was paid by standing order and cheque. Resolved:- The Council agreed to the above payments. Proposed by Cllr Higgle and seconded by Cllr Makuza. 218.2 <u>Receipts Received as at 1st December 2021:-</u> CWaC (members budget for Christmas Event) - £1,300.00 Allotments Income - £450.00 CWaC (CIL monies) - £2,436.63 218.3 <u>Accounts and Bank Reconciliation:-</u> The summary of Receipts and Payments was previously circulated. The reconciled balance in the current bank account as at 1st December 2021 was £157,391.32. The funds are allocated as follows:- Parish Council - £37,741.82 Christmas Event Funding - £125.40 New Homes Bonus - £28,949.83 Community Infrastructure Levy (CIL):- £82,947.48 Allotment Deposits (ring fenced in accounts):- £400.00 Allotment Maintenance funds (ring fenced in accounts):- £250.00 Neighbourhood Plan:- £678.22 Bus Shelter (Insurance Claim and Members Grant):- £3,798.57 Will Legacy:- £2,500.00 218.4 <u>Budget Setting:-</u> The Council noted the budget to date figures as at 31st December 2021 and the forecast figures to 31st March 2022.	Chq No	Payee	Statutory Power	Amount	438	Replacement cheque - CHRISTMAS:- Zurich Insurance (insurance cover for event)		£ 288.96	439	Running Costs	s.111	£ 24.19	441	HMRC (employers NIC)	lga 112-119	£ 64.56
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219	BUDGET FOR 2022 – 2023 Cllrs Boxall, Charlton, Whitehurst, Williams and the Clerk attended a meeting on Tuesday 4th January 2022 to review the current financial position and to prepare the financial budgeting data for the 2022 – 2023 financial year. Cllr Boxall circulated a report regarding the preparation and factors to consider when setting the budget and precept for the 2022 – 2023 financial year. Resolved:- The Council agreed to set the budget for the 2022 – 2023 financial year for the as follows:- <table><tr><th>Item</th><th>Amount</th></tr><tr><td>Essential Payments</td><td></td></tr><tr><td>Costs to run the Council</td><td>£ 14,881.87</td></tr><tr><td>Village Maintenance</td><td>£ 2,000.00</td></tr><tr><td>Sub Total</td><td>£ 16,881.87</td></tr><tr><td>Non Essential Payments</td><td></td></tr></table>	Item	Amount	Essential Payments		Costs to run the Council	£ 14,881.87	Village Maintenance	£ 2,000.00	Sub Total	£ 16,881.87	Non Essential Payments					
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220	PRECEPT 220.1 <u>To consider and set amount to be allocated towards grants for the 2022 – 2023 financial year:-</u> Resolved:- The sum of £6,000.00 is to be earmarked for grants to local organisations for the 2022 – 2023 financial year. Proposed by Cllr Boxall and seconded by Cllr Charlton. 220.2 <u>To set the precept for the 2022 – 2023 financial year:-</u> The 2022 – 2023 Local Council Tax Base for the parish of Malpas has been calculated as 1016.8 for Band D equivalent properties. The Band D Local Council Tax Base for 2021 – 2022 was 981.3 for Band D equivalent properties. Resolved:- The Council agreed to set the precept for 2022 - 2023 financial year at £28,850.00. This represents an increase of £1,374.00 (5%) on the 2021 – 2022 precept. The Local Council Tax Charge for a Council Tax Band D property for 2022 – 2023 will be £28.37 This means there will be an increase of £0.37 (1.3%) in the Parish Council's 2022 - 2023 share of the Council Tax bill. Proposed by Cllr Boxall and seconded by Cllr Charlton.																
221	BUSINESS PRIORITIES AND PROJECTS - WORK PLAN 2022 / 2023 Cllr Whitehurst stated that if there was no lead or budget allocated to a project then it ought not to be considered a business priority by the Council. This principle was agreed and it was noted that proposed business priorities without a sponsor and cost estimate had been omitted from the estimates used to determine the precept.																
222	PLANNING 222.1 <u>Planning Applications:-</u> 222.1.1 - 21/04520/FUL - Proposed rear extension. Proposed timber cladding to front elevation. Proposed enlargement of existing driveway at 2 Mercer Close Malpas Observations:- The Council made the following observations:- - Within settlement boundary; - Potential impact on neighbours - Neighbours amenity; - The Council like CWaC, has declared a climate emergency and would expect all proposals for new developments, extensions or alterations to recognise this, specifically by ensuring properties are at least carbon neutral, avoiding the use of fossil fuels and have facilities for the charging electric vehicles. 222.1.2 - Appeal Ref 21/00088/REF - Extension of existing hotel at The Crown Hotel, Old Hall Street, Malpas Observations:- The Council made the observations:- Whilst the extra trade that may result in the community from an extension of this nature will be positive for the local economy, it is requested that the following observations are considered.																

Application History:

It is noted that a previous proposal to build an extension to accommodate a restaurant in the vacant space alongside the Crown was refused; this was on highway grounds.

The decision stated that the proposal would not be in the interest of highway safety or the free flow of traffic and in the opinion of the district Planning Authority constitutes over intensive use of the site.

Also that development would be seriously detrimental to the visual amenities of the Malpas conservation area.

Three subsequent planning applications were withdrawn, which suggests further refusals were imminent although reasons are not given, but these suggest that traffic flow and parking mitigation could be crucial material consideration when making a decision to approve or reject the application.

Conservation area:

This application refers to extending a building in the Malpas conservation area. It is also a character building as listed in the Malpas and Overton Neighbourhood Plan.

Paragraph 6.2.1 of the planning statement states that there is no character appraisal of the Malpas Conservation area. This is not correct although somewhat dated there is a March 1981 assessment of the conservation area.

For this reason, it is important should the application be approved, that the design and materials used are sympathetic to existing conservation area and the buildings surroundings. The proposal is to construct an extension to the building in a gap between the existing hotel and the Dower House residential property. This should be regarded as infill and as such Neighbourhood Plan policies BE3, BE4 and SF1 should apply to this application.

Application Issues for consideration:

There is no south facing illustrated on the proposed elevation drawings.

It is noted that the building appears to have been recently extended. Is a further extension of this surface area permitted under the 30% extension of floor space planning rule?

Although it is mentioned as a note to the potential builder, there is no reference in the planning statement to drainage or sewerage mitigation measures that will be generated by the increase in capacity on the site.

With a building previously being located on the site there is a potential for archaeological deposits to remain. There is no mention of an archaeology report or watching brief associated with the application.

Work on the site appears to have started already without permission being granted.

Malpas's biggest town issue as recognised by the Borough and Parish Councils is traffic congestion and parking.

Paragraphs 7.5.2 of the planning statement accepts that there would be some additional parking demand, due to the increase in floor space.

However, there is no mention of the provision of car parking space to support this development to accommodate the increase in customers / tourists that the proposal is indicating an extension to the hotel would bring.

Paragraphs 7.5.3 of the Planning Statement indicates that parking associated with the development is not a problem as customers will be encouraged to use public transport.

Malpas has an extremely poor bus service resulting in residents being unable to get a bus in or out of the town after 6:00pm. There is also no existing taxi service in the town, so it is inevitable extra cars will be parking in a location which already restricts the visibility of vehicles accessing the High Street from Church Street.

The application evidences the space required to comply with Covid19 restrictions as a reason for the proposal in a number of instances, however paragraph 7.5.2 of the Planning Statement admits that the number of customers that can be accommodated is likely to remain unchanged. Hence the argument citing Covid19 should be dismissed from any consideration.

The biggest issue is the potential impact of the development on the neighbouring Dower House amenity (visual and light levels). Paragraph 7.4.2 of the Planning Statement refers to

the close proximity of the proposal to the Dower House, and a window serving a front living room.

The loss of the Dower's House living room light needs to be considered.

Other:

Should permission be granted, is it possible that with the proposal to add a function room on the second floor, to condition that a sprinkler system be installed for the safety of future patrons?

Since the re-opening of The Lion parking in Old Hall Street has increased significantly. Vehicles are parking on the Well Street / Old Hall Street junction presenting a safety hazard. If the inspector is minded to grant this appeal could they please consider adding a condition for a highways contribution for the extension of double yellow lines to meet the current highways criteria at the junction of Old Hall Street and Well Street.

A map showing the junction and current parking restrictions is enclosed.

222.1.3 - 21/04573/FUL - Single storey side porch at 7 Drakes Way, Malpas

Observations:-

The Council made the following observations:-

- Within settlement boundary;
- Relevant Neighbourhood Plan Policies - BE3;
- Potential impact on neighbours - visual amenity;
- The Council like CWaC, has declared a climate emergency and would expect all proposals for new developments, extensions or alterations to recognise this, specifically by ensuring properties are at least carbon neutral, avoiding the use of fossil fuels and have facilities for the charging electric vehicles.

222.1.4 - 21/04652/FUL - Change of use of a former stable block and Dutch barn to create one dwelling, together with all associated infrastructure works at Land at Sunnyside, Malpas

Observations:-

The Council made the following observations:-

- Open countryside.
- Relevant Neighbourhood Plan Policies:- BE1, BE2, BE3, H1, H2, H4, and LC4
- Potential benefits to the community:- reuse of a building.
- Potential impact on wider community:- The proposed residential development is outside a recognised settlement boundary of either a Key or Local Service Centre and therefore is not permitted under Strat 9 of the Local Plan part 1 unless it:

1/ has an operational need for a countryside location such as for agricultural or forestry operations.

2/ is for a replacement building (the existing stable block and Dutch Barn is not a residential dwelling, so this proposal does not constitute a replacement building.)

3/ is small scale and low impact rural / farm diversification schemes appropriate to the site, location and setting of the area.

4/ is the reuse of existing rural buildings, particularly for economic purposes, where buildings are of permanent construction and can be reused without major reconstruction.

5/ is the expansion of existing buildings to facilitate the growth of established businesses proportionate to the nature and scale of the site and its setting.

The proposed development does not meet any of these criteria.

Other relevant information

Most built structures have the potential to support roosting bats and nesting birds, whilst badgers, great crested newts, and wild plants may be present on the land surrounding the proposed site.

If there is any risk of an adverse impact on protected wildlife (including fauna and flora) a survey should be undertaken prior to any work commencing, as an offence may otherwise be committed.

The Council note that at this time no ecology survey has been included with the application.

Malpas and Overton Neighbourhood Plan - Policy H2.

“New individual dwellings in the rural area will also be considered appropriate if they deliver homes of an exceptional, innovative design.

Designs must be truly outstanding or innovative, demonstrating the highest standards in architecture and helping to raise design standards in the rural area.

The design must also be sensitive to the defining characteristics of the local area.”

The Council note that the design of the proposal is quite innovative and whilst they would support such development under their H2 Policy, they would want the Planning Authority to use their expertise in confirming the quality of the design as being suitable.

Planning History

An application number 20/02538/PDQ was considered in 2020 and on the 8th September 2020 a decision was issued that determine that prior approval of the Local Planning Authority was not required.

The Dutch Barn and stable block

Under a Strat 9 location as outlined above, this could be regarded as the reuse of an existing rural building, however an agricultural storage barn and stable block constructed for the use of horses would not normally make a suitable sustainable residential living accommodation without substantial construction work.

Page 7 of the Design and Access statement of this application states that the Dutch Barn has approval for conversion to a residential unit.

However, the decision under application 20/02538/PDQ states only that the prior approval of the Local Planning Authority is not required for conversion; this being determined on minimal changes to the existing structures

Comparison of the drawings submitted with application 20/02538/PDQ illustrate that the is application is fundamentally different in construction from that which was previously determined and therefore full consideration should be given to the design of this proposal and its suitability in the rural location.

The Council would raise concerns over the suitability of the existing buildings to be converted to sustainable residential accommodation complete with foundations construction materials to meet the current building standards.

In the conclusions on page 7 of the Structural Assessment and Feasibility of Conversion report paragraphs 6.4 and 6.5 state (below) that further assessments will be required to establish

6.4 A full structural analysis of the buildings will be required upon receipt of the Architect's final proposals to assess the structural implications of the buildings conversion where all structural alterations should be considered and designed accordingly by a competent structural engineer.

6.5 Further investigations will be required to these buildings to assess wall and foundation loading capacity however at this stage, it is not always cost effective to undertake the full extent of these additional surveys until there is a greater understanding of the project.

The Council like CW&C, has declared a climate emergency and would expect all proposals for new developments, extensions or alterations to recognise this, specifically by ensuring properties are at least carbon neutral, avoiding the use of fossil fuels and have facilities for the charging electric vehicles.

Resolved:- The Council agreed to accept the above planning observations.

Proposed by Cllr Higgle and seconded by Cllr Boxall.

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

21/04750/FUL and 21/04751/LBC - Internal alterations to an existing garage and stable, replace garage doors with timber window and insert a new floor with access to create a new bedroom at Cobblestones Church Street Malpas

Observations:-

The Council made the following observations:-

- Within settlement boundary;
- Conservation area;
- Listed Building;
- Relevant Neighbourhood Plan Policies - BE3 and SF2;
- The Council would request that the Planning Authority Conservation Officer is happy with the proposed removal of the stable internal structures and also that any proposed external building operations are in keeping with the listed building and the conservation area.
- The Council like CWaC, has declared a climate emergency and would expect all proposals for new developments, extensions or alterations to recognise this, specifically by ensuring properties are at least carbon neutral, avoiding the use of fossil fuels and have facilities for the charging electric vehicles.

Resolved:- The Council agreed to accept the above planning observations.

Proposed by Cllr Higgle and seconded by Cllr Boxall.

222.3 21/04515/FUL - Alterations and extension to existing stables to create a single residential dwelling, erection of detached carport / outbuilding at Levoy Sunnyside Malpas:-

Observations:-

The Council made the following observations:-

The Council is concerned that this application could be seen to set a precedent for the redevelopment of existing rural buildings (outside settlement boundaries) where the correct planning procedures were not followed at an earlier construction phase. The Council hope the Planning Authority will give this matter due consideration. If the CWaC Planning Authority is minded to approve the application, the Council would request that the following conditions be included:-

- Should this application be granted, then Malpas Parish Council would like to see it conditioned that the 100 trees as proposed by the applicant are planted as part of a landscaping scheme.
- The development is conditioned to provide an electric vehicle charge point.

Other Observations:-

- Open countryside;
- Potential benefits to the community:- Although there is no mention of electric charging points being provided, the Council applauds the applicant for the proposal to use green technologies and the provision of disabled access/facilities for visitors and residents. The applicant states that it is their intention to plant 100 trees to offset the carbon footprint, although no landscaping scheme has been submitted with the application to confirm this proposal.

It is recognised that If these proposals are carried out, then there will be a small benefit to the wider community.

- Potential impact on neighbours:- Visual amenity of the near neighbours

Other relevant information:-

History of the property:- The stables were last used in that capacity, in 2014, four years prior to the issue of the lawful development certificate, and never since the issue of the LDC certificate in April 2018.

Application form:- On the application form, section 10 states that should the applicant reply yes to either or both questions then a full tree survey should be included with the application. There is no visibility of a tree survey with the application documents.

Building Construction:- The Council would ask if the building is suitable to allow it to be converted / extended to residential accommodation under current building regulation guidelines. The proposed floor plans raise concern that there will be no existing cavity walls between the stable stalls and thus the building could require internal construction work to take place to meet the current residential building insulation standards.

	Other:- This proposed residential development is outside a recognised settlement boundary of either a Key or Local Service Centre and therefore under Strat 9 of the Local Plan part 1, the Council consider the application to be the reuse of existing rural buildings (though in this case not for economic purposes) where buildings are of permanent construction and can be reused without major reconstruction. If the Planning Authority were minded to approve the conversion of the stable block, then the Council would expect to see an application for a change of use from equestrian / agricultural to residential domestic for the property as a whole. The Council like CWaC, has declared a climate emergency and would expect all proposals for new developments, extensions or alterations to recognise this, specifically by ensuring properties are at least carbon neutral, avoiding the use of fossil fuels and have facilities for the charging electric vehicles. Resolved:- The Council agreed to accept the above planning observations. Proposed by Cllr Boxall and seconded by Cllr Higgie. 222.4 <u>Recent decisions by CWaC:-</u> <u>Approved / Decided:-</u> 20/02620/FUL - Land Rear of Old Police House Chester Road Malpas 21/02750/FUL - 3 Moss Villas Old Hall Street Malpas								
223	SURGERIES The report was noted.								
224	HIGHWAYS The Clerk has requested an update for the Pilot Average Speed Camera Scheme. The Council are due to be notified by the end of February if they have been selected to take part in the pilot scheme.								
225	ROAD SAFETY The Clerk has contacted CWaC regarding the assessment of the site on Chester Road for a Lollipop person. The Council are to engage in dialogue with the school regarding road safety for pupils.								
226	COMMUNITY RESILIENCE PLAN Cllr Charlton is to arrange a meeting of the Safety Action Group and other organisations to make progress with the plan.								
227	APPEARANCE OF MALPAS 227.1 Dog Bag Dispensers:- Response due from CWaC regarding licence for Leech Lane. 227.2 Bus Shelter – Old Hall Street:- CWaC have received a representation regarding the bus shelter and its proximity to the water meter of Old Hall. 227.3 Bus Shelter – Bovis:- The hard standing and raised kerbs at the bus stop on Springfield Road have been installed. 227.4 Bench on Chester Road:- Response due from CWaC regarding licence.								
228	APPROACH TO COMMUNITY SERVICES There was no update.								
229	SOCIAL MEDIA AND COMMUNICATIONS This item was deferred.								
230	THE QUEEN'S GREEN CANOPY Cllr Higgie has contacted CWaC regarding possible locations in the village to plant trees for the Queen's Green Canopy and is awaiting a response.								
231	CLERK'S REPORT <table><tr><th>No.</th><th>Item</th><th>Update</th></tr><tr><td>231.1</td><td>Cuddington Parish</td><td>An email has been sent to CWaC to formally notify CWaC that Malpas Parish Council wish to request to merge with Cuddington Parish. CWaC advised that the next Community Governance Meeting is due to meet in January to approve the Terms of reference for the</td></tr></table>			No.	Item	Update	231.1	Cuddington Parish	An email has been sent to CWaC to formally notify CWaC that Malpas Parish Council wish to request to merge with Cuddington Parish. CWaC advised that the next Community Governance Meeting is due to meet in January to approve the Terms of reference for the
No.	Item	Update							
231.1	Cuddington Parish	An email has been sent to CWaC to formally notify CWaC that Malpas Parish Council wish to request to merge with Cuddington Parish. CWaC advised that the next Community Governance Meeting is due to meet in January to approve the Terms of reference for the							

			review. It could take up to 12 months to undertake a community governance review. Any recommendations from this review won't be in to effect until the next local elections in May 2023. This is when the next local elections for parish councils take place.
	231.2	Allotments	Returned key deposits to Plots No 8 and 10.
	231.3	Airband	Arrangements circulated for Zoom for presentation on 13/01/2022
	231.4	CIL	Response from CWaC circulated regarding amounts due and dates of payment.
	231.5	Conveyancing	Request sent to Hill Dickinson for a further quote based on a split risk basis.
232	EXTERNAL CORRESPONDENCE INCLUDING SUGGESTION BOX List previously circulated to Cllrs.		
234	UPDATES FROM OUTSIDE ORGANISATION REPRESENTATIVES 234.1 Shelia Powell:- The Council agreed to write a letter to congratulate local resident Sheila Powell on the recent publication of her novel.		
	PART TWO		
235	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 are of a sensitive nature. Proposed by Cllr Boxall and seconded by Cllr Meredith.		

The meeting closed at 8.50 p.m.

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