

**MINUTES OF MALPAS PARISH COUNCIL MEETING
HELD ON MONDAY 11TH JULY 2022
IN THE VICTORIA JUBILEE HALL, MALPAS AT 7.00PM**

	PRESENT Cllrs Tina Barnett, Mike Boxall (vice Chairman), Richard Charlton, Morgan Granger, Pauline Hood, Sherrie Roberts Abdelaziz, John Webb (Chairman), Chris Whitehurst, Michael Williams. The Clerk. Two members of the public and Chief Inspector Mike Ankers attended part of the meeting.
67	APOLOGIES Cllrs Charles Higgie, Karen Meredith, Adrian Waddelove.
68	DECLARATION OF INTERESTS Cllr Whitehurst declared a non-pecuniary interest in items 75.2 and 87 of the minutes.
69	APPROVAL OF THE MINUTES <u>Minutes of the Parish Council Meeting on 13th June 2022:-</u> Resolved:- The Chairman is to sign the minutes of the Parish Council Business Meeting held on 13th June 2022 as a true and proper record. Proposed by Cllr Charlton and seconded by Cllr Boxall.
70	OPEN FORUM Two members of the public made representations to the Council regarding their opposition to planning application 22/02096/CAT - Request to fell - 1x holly (1), 4x conifer (2,6,7, 8), 1x cedar (3), 1x sycamore (4), 1x willow (5), 1x conifer (9) and several hedges at Clare Cottage Church Street Malpas.
71	INTERNAL PROCEDURES No further update.
72	FINANCIAL RISK ASSESSMENT No further update. The Financial Risk Assessment is to be considered at the September meeting.
73	POLICE REPORT 73.1 Report:-The monthly police report was previously circulated. 73.2 PCSO:- PCSO Jon Hurst is recovering well and is due to return to work at a date yet to be confirmed. He is also considering delaying his retirement from the police force for the time being. 73.3 Chief Inspector Mike Ankers introduced himself to the meeting and updated Councillors about the situation with the local PCSOs, local crimes in the local area and the preventative actions police are taking to reduce crime. Residents are urged to report all incidents of anti-social or criminal behaviour by calling 101.
74	GRANT REQUEST The Council considered a grant request received to fund a Summer Reading Challenge event at Malpas Library. Resolved:- The Council agreed to award a grant of £100.00 towards the Summer Reading Challenge. Proposed by Cllr Charlton and seconded by Cllr Williams.
75	ACCOUNTS 75.1 <u>To approve final cover off payment for the final invoice for the Platinum Jubilee event:-</u> Resolved:- The Council agreed to approve the final cover off payment for the Platinum Jubilee event. Proposed by Cllr Webb and seconded by Cllr Barnett.

75.2 To approve payments:-

Chq No	Payee	Amount
481	HMRC (June PAYE and NIC)	£ 73.33
482	Running Costs	£ 46.24
483	Cheshire Community Action (NP review works)	£ 864.00
484	Victoria Jubilee Hall	£ 66.00
485	Barlows (Install defibrillator)	£ 150.00
486	Glasdon (dog bags for dispensers)	£ 149.52
487	JUBILEE EVENT:- Tents and Events	£1,212.74
488	JUBILEE EVENT:- Community Links	£ 170.13
489	Cheshire Community Action (subs)	£ 50.00
490	HMRC (July PAYE and NIC)	£ 73.33
491	GRANT:- Malpas Library	£ 100.00

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 Barnett.

75.3 Receipts Received as at 1st June 2022:-

Money for bench on Chester Road:- £659.00.

75.4 Accounts and Bank Reconciliation:-

The summary of Receipts and Payments was previously circulated.

The reconciled balance in the current bank account as at 10th May 2022 was £176,533.20.

The funds are allocated as follows:-

Parish Council – £50,820.42

Christmas Event Funding - £125.40

New Homes Bonus - £28,949.83

Community Infrastructure Levy (CIL):- £89,662.76

Allotment Deposits (ring fenced in accounts):- £500.00

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:- £1,748.00

75.5 To receive and note budget to date figures as at 30 June 2022:-

The Council received and noted the budget to date and forecast figures for 2022 – 23.

76 AUGUST MEETING

The Council considered whether to hold a business meeting of the Council in August.

Resolved:- The Council agreed not to hold a business meeting in August.

Proposed by Cllr Webb and seconded by Cllr Charlton.

77 NEIGHBOURHOOD PLAN

Cllr Boxall updated the meeting as follows:-

- The aim is to complete the update of the Neighbourhood Plan by May 2023.
- The Council is entitled to apply for up to £10k in grants to fund the update.
- The Council is looking to recruit volunteers to join the Neighbourhood Plan Steering Group.

Resolved:- The Council agreed to commission CCA to help develop the scheme of work necessary to support a grant application. This should also provide an outline plan to guide the Steering Group as it works to revise the Neighbourhood Plan.

Proposed by Cllr Boxall and seconded by Cllr Charlton.

78 HIGH STREET CAR PARK

Cllr Webb updated the meeting of progress as follows:-

	- CWaC has agreed to increase their contribution towards the cost of the car park from £88k to £100k. - Cllr Whitehurst is to follow up the Biodiversity Plan with Cheshire Wildlife Trust as this is holding up the planning application.
79	PLANNING 79.1 <u>Planning Applications:-</u> 22/02096/CAT - Request to fell - 1x holly (1), 4x conifer (2,6,7, 8), 1x cedar (3), 1x sycamore (4), 1x willow (5), 1x conifer (9) and several hedges at Clare Cottage Church Street Malpas Observations:- The Council would make the observations as documented below:- The Council objects to this application. If CWaC is minded to approve the application the Parish Council would request that the following conditions be included: That any tree removed is replaced on a two for one basis as defined in policy DM45 note 2 of the Cheshire West Local Plan part 2 and the Malpas and Overton Neighbourhood Plan. Background Factors: Within settlement boundary; Conservation area. Relevant Neighbourhood Plan Policies: LC4 Potential benefits to the community: None identified Potential impact on neighbours: None identified Potential impact on wider community: The removal of 8 trees and a hedge will have an impact on the community reducing the carbon capture capability of this particular area of the village. <u>Other relevant information:-</u> - The garden area of Clare Cottage currently represents a significant “green wildlife corridor” stretching from the open countryside into the heart of the village. - The intention to clear the space of this amount of flora will have a huge impact on the wildlife and the biodiversity that this area currently provides for. There are a variety of native species of trees on the site including Hazels, Willows and Holly, mostly all in good condition. - It should therefore be protected with only diseased or dead trees being allowed to be removed. - The application provides insufficient information and does not contain any statement about the applicant’s intentions to replace the trees or a valid reason for not doing so. - The removal of the volume of trees and hedges associated with this application is contrary to the strategy to preserve trees and hedges to mitigate against climate change. - The sketch plan provided with this application does not truly represent the correct location of the trees indicated for removal on the site. The plan is an exact copy lifted from a previous application (06/00927/CAT). - The Council believes that tree 1 is outside the applicant’s property boundary and is therefore not owned by the applicant as referenced by the drawing provided with a previous application (12/02309/CAT) for this site. - The tree is located where the figure 1 is shown on the plan not where the is shown, and a site visit confirms that this tree is clearly located in the verge of the Hayside Walk access road. - However, that said it is recognised that the state of tree 1 could present a danger to structure of Clare Cottage. - The Parish Council would ask that the applicant provides a Biodiversity Net Gain Plan as per current planning regulations; this to compensate for the inevitable loss of biodiversity the scale of this proposal will result in.

- Whilst it is recognised there is a need to maintain an amenity garden area in a tidy state, there is no development associated with this application that requires the removal of such healthy trees and wildlife friendly hedges.

Planning History:-

04/01409/FUL – This application was refused on the reasoning of an unacceptable loss of vegetation causing significant harm to the character and appearance of the Malpas Conservation Area.

A subsequent appeal (X0605/A/06/2024310) was dismissed by the inspector who identified the harm to the character and appearance of the conservation area as being contrary to Local Plan policies HO5, ENV2, ENV37 (Now replaced by DM45 and DM46.)

06/00927/CAT – This drawing associated with this application is exactly the same as the current one. The indications are that the work was never completed.

12/02309/CAT - This application was granted for the removal of all Leylandii trees from the rear garden. This does not appear to have been completed.

Any necessary removal of a tree should see replacements on at least two for one basis as defined in policy DM45 note 2 of the Cheshire West Local Plan part 2 and the Malpas and Overton Neighbourhood Plan.

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 Whitehurst and seconded by Cllr Webb.

22/01908/FUL - Widening of an existing access track is required off Mates Lane to allow for construction traffic to access a temporary working area to undertake a programme of essential maintenance works to the Vyrnwy Aqueduct at Land At Mates Lane Edge Malpas

Observations:-

The Council would make the observations as documented below:-

The Council supports this application but would make the observations as documented below.

Background Factors: Open countryside

Relevant Neighbourhood Plan Policies: LC4

Potential benefits to the community: Upgrade of the existing water supply Aqueduct.

The applicant has undertaken to replace the hedge they are removing to gain access.

Potential impact on neighbours: None identified

Potential impact on wider community: Increased of heavy traffic on the narrow Mates lane

Other relevant information: One document associated with this application states that the Ash tree will have to be coppiced, whilst in another document it is to be removed. If it is removed then the council would expect to see the planting of two replacement trees as per policy DM45 of the Cheshire West Local Plan part 2 and the Malpas and Overton Neighbourhood Plan.

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 Whitehurst and seconded by Cllr Webb.

22/02501/TPO - Oak (T33) - Crown reduction of 1m and removal of branch on the roadside. Beech (T36) - 1.5m crown reduction and a branch lift over the road. Beech

(T39) - Remove and replace with nursery mature specimen in location as close as possible to existing setting. Cedar (T24) - Remove deadwood and crown thin by 15% at The Manor St Joseph's Place Malpas

Observations:-

The Council would make the observations as documented below:

If the Cheshire West Council Planning Authority is minded to approve the application the Parish Council would request that the following conditions be included: Any necessary removal of trees should see replacements on at least two for one basis as defined in policy DM45 note 2 of the Cheshire West Local Plan part 2 and the Malpas and Overton Neighbourhood Plan.

Background Factors: Within settlement boundary, Tree Preservation Order

Relevant Neighbourhood Plan Policies: LC4

Potential benefits to the community: Reduced risk to life

Potential impact on neighbours: None identified

Potential impact on wider community: The removal of a beech tree will have an impact on the community reducing the carbon capture capability.

The Parish Council would ask that the applicant provides a Biodiversity Net Gain Plan as per current planning regulations; this to compensate for the inevitable loss of biodiversity the scale of this proposal will result in.

Other relevant information:

The TPO Tree report associated with this application is un-readable.

Many trees have been removed from this site since the first planning application back in 2005. Further felling of trees or even foliage removal goes against the need to preserve trees in the fight to mitigate against climate change.

Referring to the applications "Statement of Reasons for Work", the Parish Council's do not see tree T39 as an intolerable risk of harm, and our view is that trees should not be felled unless there is imminent danger to life, and not just a possible future financial impact via power lines.

Even then, any necessary removal of a tree should see replacements on at least two for one basis as defined in policy DM45 note 2 of the Cheshire West Local Plan part 2 and the Malpas and Overton Neighbourhood Plan.

The power supply company have their own programme for protecting power lines and that programme which is ongoing at the moment in the Tilston Road area of Malpas will resolve any interference with their power supply lines.

The Council would question why there is no Biodiversity Net Gain Plan associated with this application.

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 Whitehurst and seconded by Cllr Webb.

22/01812/FUL - Conversion of industrial unit to a single dwelling including an open porch extension, new garage block, vehicular access and landscape works at The Hough Granary Higher Wych Road Wigland Malpas

Observations:-

The Council would make the observations as documented below:

If the Cheshire West Council Planning Authority is minded to approve the application the Parish Council would request that the following conditions be included: Removal of personal development rights relative to the proposed garage

Background Factors: Open countryside

Relevant Neighbourhood Plan Policies: H2 and BE3

	Potential benefits to the community: Bringing a disused building back into use Potential impact on neighbours: None identified Potential impact on wider community: None identified <u>Other relevant information:</u> - It is noted that the proposed garage is two storey. - The size and design of the proposed garage suggests that this could be used in future as a residency. - The council would ask that personal development rights are removed for this building. - The Council would ask that sufficient provision is made for surface water runoff and that domestic foul water does not leach into the nearby Bradley Brook. - 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 Whitehurst and seconded by Cllr Webb. 79.2 <u>To consider any applications received after the agenda has been distributed</u> 22/01890/FUL - Single storey rear extension at 56 Springfield Avenue Malpas – the Council agreed to defer observations to the Planning Steering Group. 79.3 <u>Recent decisions by CW&C:-</u> <u>Approved / Decided:-</u> 21/21/04922/FUL – 5 Leech Road Malpas 22/01551/FUL - 56 Hughes Lane Malpas 79.4 <u>Planning Steering Group Terms of Reference:-</u> Resolved:- The Council agreed to accept the Terms of Reference for the Planning Steering Group (previously circulated). Proposed by Cllr Boxall and seconded by Cllr Williams. 79.5 <u>Planning Concerns:-</u> The Council noted that work has already started at the Old Nest, Old Hall Street, Malpas before the Planning Department has made a decision. The Clerk is to follow this up with the Planning Department.
80	SURGERIES <u>July Surgery:-</u> Cllr Whitehurst updated the meeting regarding the following issues that were raised at the surgery:- - Springfield Road:- issues with tree are to be reported to Sanctuary Homes. - ASB:- youths have been seen using electric scooters around the village late at night. - Speeding:- concerns regarding speeding in Springfield Road.
81	HIGHWAYS Concerns were raised regarding the lack of communication and organisation for the planning works to carry out repairs to the church wall. The Council agreed to write to CWaC and to request a meeting to raise concerns regarding the delay with the works starting.
82	ALLOTMENTS 82.1 <u>Siteworks:-</u> Edward Reeves has advised that he is happy to carry on topping the weeds and cutting the hedges where he can get to with his tractors. He will not be able to cut the inside hedges around the allotment area. Either the allotment holders will have to do that on their own patch or the Council will need to employ some else to do it. The Council agreed to ask the allotment holders if they would be prepared to carry out the work to the hedges around the allotments.

	82.2 Allotments Plots:- Notices of termination have been served to allotment plot holders nos 7 and 11.
83	WEBSITE The Council considered whether to have a separate website dedicated to Council business. The Clerk is to obtain quotes.
84	COMMUNITY RESILIENCE PLAN (CRP) Cllr Charlton advised there are two further meetings to finalise the CRP before it is submitted to Rob Ruddock, CWaC.
85	APPEARANCE OF MALPAS 85.1 Street Furniture Update:- Dog Bag Dispensers:- Dispensers on Leech Lane and Well Street are to be installed when the bench is installed. Bench on Chester Road:- CWaC are waiting on delivery of the bench. 85.2 Bus Shelter – Old Hall Street:- The supplier has advised that the framework is in the workshop, but there are issues with the supply of the cedar. 85.3 Planters:- Walkers Nurseries have refilled the planters at the beginning of June. Unfortunately, due to the lack of watering much of the summer bedding has shrivelled away. The Clerk and Chairman agreed to request that Walkers Nurseries come and douse the planters thoroughly at a charge of 4 hours @ £19.00 plus VAT, and to top up / replace plants free of charge. The Council discussed various ways to water the planters including appealing to local residents / businesses for help.
86	THE CROSS 86.1 Ownership of new Steps:- Further emails have been sent to CWaC to chase up enquiry regarding ownership. 86.2 Steps which surround The Cross:- The Clerk has arranged a site meeting with G Marsh Stonemason to discuss works / maintenance.
87	MALPAS ALPORT PTA The Council considered the request from the Malpas Alport PTA to provide support for the circus event they are looking to hold in September. The Council agreed to write and request that the PTA submit a grant application form.
88	DEFIBRILLATOR The Clerk met with Barlows to discuss quote to install of the heated cabinet. Barlows quoted £125.00 plus VAT for the works which both the Clerk and Chairman agreed to instruct Barlows to carry out the works. The installation of heated cabinet is now completed. Cllr Williams is in the process of arranging for the defibrillator to be placed inside the cabinet.
89	REMEMBRANCE SUNDAY The Clerk is to contact the local branch of the Royal British Legion and the new Rector regarding plans for this years' Remembrance Parade.
90	COMMUNITY GOVERNANCE CWAAC sent the following report:- "The initial consultation with Cuddington residents has now concluded and unfortunately the response rates to the consultation was very low. Under the 2007 Act, local electors throughout England can petition their principal council for a community governance review to be undertaken, setting out at least one recommendation that the petitioners want the review to consider making, with regards to local governance arrangements. Such a petition must be signed by at least 50% of the electors to trigger any alterations. Although the Council has used its own discretionary powers under the 2007 Act to bring

	about the current community governance review for Cuddington as opposed to responding to a formal petition, the Community Governance Review Committee consider it is worth noting the responses from the Cuddington consultation against the requirements for a parish petition. Only 11% of the electors responded to the consultation and of those, only 50% of the respondents agreed with the suggestion for Cuddington to become a Parish Council and then merging or being grouped with Malpas Parish Council. The Committee considered this to be a low turnout and ultimately it was not persuaded enough to significantly alter local governance arrangements for Cuddington Parish. Some of the respondents appeared to be unaware of the proposals, what benefits being part of a parish council would bring and where the proposals had come from. Therefore the Community Governance Review Committee on 22 June 2022 agreed the below recommendations and also that these be shared with Cuddington’s electors:- 1. the parish of Cuddington should not be altered or abolished; 2. the parish should not have a parish council; 3. no new parish should be constituted through the aggregation of part of Cuddington parish with another or amalgamation of the whole of Cuddington parish with another; 4. and no grouping provision be made in relation to Cuddington parish.” The Clerk is to clarify whether this means that Cuddington must be excluded from the revised Neighbourhood Plan.																					
91	FIREWORKS DISPLAY Cllr Granger spoke to the meeting about the Council taking the lead and working with other local organisations to hold a fireworks display in November at Malpas and District Sports Club. The Council discussed holding the event. Resolved:- The Council agreed to look into holding a fireworks display in November and report back to the next meeting of the Council. Cllr Granger is to lead the work. Proposed by Cllr Granger and seconded by Cllr Roberts.																					
92	PROPOSED SOLAR FARM AT THE MOSSLAND There was no consideration of this item.																					
93	CLERK’S REPORT <table><tr><th>No.</th><th>Item</th><th>Update</th></tr><tr><td>93.1</td><td>Village Pump</td><td>The Clerk has followed up the request with Bovis to site the village pump on the Bovis estate and is discussing options.</td></tr><tr><td>93.2</td><td>Hanging Baskets</td><td>12 Hanging Baskets have been delivered and distributed.</td></tr><tr><td>93.3</td><td>Dog Bag dispenser Bags</td><td>Placed and received order for 3,000 bags with Glasdon. Ward Cllr Williams advised that CWaC can supply bags as they have a surplus.</td></tr><tr><td>93.4</td><td>Airband</td><td>Email to invite Community Liaison Officer Q&A session for half an hour at 6.30pm at the September meeting</td></tr><tr><td>93.5</td><td>AGAR</td><td>Audit forms and supporting documents have been submitted to the external auditor, PKF Littlejohn.</td></tr><tr><td>93.6</td><td>Pothole</td><td>Reported on Wrexham Road opposite the turning for Chorlton Lane.</td></tr></table>	No.	Item	Update	93.1	Village Pump	The Clerk has followed up the request with Bovis to site the village pump on the Bovis estate and is discussing options.	93.2	Hanging Baskets	12 Hanging Baskets have been delivered and distributed.	93.3	Dog Bag dispenser Bags	Placed and received order for 3,000 bags with Glasdon. Ward Cllr Williams advised that CWaC can supply bags as they have a surplus.	93.4	Airband	Email to invite Community Liaison Officer Q&A session for half an hour at 6.30pm at the September meeting	93.5	AGAR	Audit forms and supporting documents have been submitted to the external auditor, PKF Littlejohn.	93.6	Pothole	Reported on Wrexham Road opposite the turning for Chorlton Lane.
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94	EXTERNAL CORRESPONDENCE INCLUDING SUGGESTION BOX List previously circulated to Cllrs.																					
95	UPDATES FROM OUTSIDE ORGANISATION REPRESENTATIVES There was no consideration of this item.																					
96.	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 Webb.																					

The meeting closed at 9.03 p.m.

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