

**MINUTES OF MALPAS PARISH COUNCIL MEETING
HELD ON MONDAY 13TH FEBRUARY 2023
IN THE VICTORIA JUBILEE HALL, MALPAS AT 7.00PM**

	PRESENT Cllrs Tina Barnett, Roger Clifford, Charles Higgie, Karen Meredith, Adrian Waddelove, John Webb, Chris Whitehurst, Michael Williams. The Clerk. The police attended part of the meeting. No members of the public attended the meeting.
264	APOLOGIES Cllr Morgan Granger - personal reason Cllr Pauline Hood – no reason provided Cllr Mike Boxall – holiday The Council noted that Cllr Roberts has not attended a meeting since July 2022; the Clerk has written to request clarification.
265	DECLARATION OF INTERESTS Cllr Clifford advised that he has stood down from Malpas Community Links committee. Cllr Whitehurst declared a non-pecuniary interest in item 271.1 of the minutes as he is Chairman of Malpas Community Links committee.
266	APPROVAL OF THE MINUTES 266.1 <u>Minutes of the Parish Council Meeting held on 9th January 2023:-</u> Resolved:- Item 237.2 “Higgie” was amended to “Whitehurst”; the financial information on item 242 was moved to be included on item 257. The Council then approved the minutes of the Parish Council Meeting held on 9th January 2023 as a true and proper record; the Chairman is to sign the minutes after they have been amended. Proposed by Cllr Whitehurst and seconded by Cllr Waddelove. 266.2 <u>Minutes of the Parish Council Extraordinary Meeting held on 25th January 2023:-</u> Resolved:- The Council approved the minutes of the Parish Council Extraordinary Meeting held on 25th January 2023 as a true and proper record; the Chairman duly signed the minutes. Proposed by Cllr Clifford and seconded by Cllr Williams.
267	OPEN FORUM There was no consideration of this item.
268	POLICE REPORT PCSO McKevitt attended the meeting. She informed the meeting about PCSO Hurst. There is no update regarding whether there will be a PCSO to cover in PCSO Hurst's absence. The Council agreed to write to PCC John Dwyer to request an update on the situation and to invite him to attend the Annual Parish Meeting, Residents are urged to report all incidents of anti-social or criminal behaviour by calling 101.
269	CASUAL VACANCIES The Clerk has informed CWaC of the casual vacancy and posted the notice of Casual Vacancy on the website and noticeboard. There are now two Casual Vacancies on the Council. Residents interested in being co-opted are invited to contact the Clerk.
270	COUNCIL ELECTIONS 270.1 <u>Recruitment Campaign:-</u>

The Council has received updates regarding campaign for the recruitment of new Parish Councillors in the May 2023 elections. A poster is to be designed to promote the elections and to encourage residents to vote in the local elections in May.

270.2 Photo ID:-
The Council noted the new photo ID requirements that are required in the May elections. The Council has received official information to inform residents via various forms of social media.

271 ACCOUNTS

271.1 Event for King Charles III Coronation:-
The Council agreed for the grant of £880.00, awarded to Community Lincs towards the Event to celebrate King Charles III's Coronation, can be used to pay specific invoices up to the value of the total amount.

271.2 To approve payments:-

Chq No	Payee	Amount
526	HMRC:- PAYE Jan 2023	£ 151.97
527	Running Costs	£ 69.86
528	Victoria Jubilee Hall	£ 66.00
529	CHALC (training)	£ 85.00
530	N PLAN:- Cheshire Community Action	£ 171.00
TFR	Hill Dickinson:- deposit for Land Purchase	£7,500.00

The Clerk's salary was paid by standing order.

Resolved:- The Council agreed to the above payments.

Proposed by Cllr Clifford and seconded by Cllr Williams.

271.3 Receipts Received as at 1st February 2023:-

Allotment Fees:- £75.00

Christmas Trees:- £261.20

Neighbourhood Plan Grant:- £5,142.00

271.4 Accounts and Bank Reconciliation:-

The summary of Receipts and Payments was previously circulated.

The reconciled balance in the current bank account as at 31st January 2023 was £228,388.61

The funds are allocated as follows:-

Parish Council – £40,835.82

Christmas Event Funding - £361.47

New Homes Bonus - £25,648.00

Community Infrastructure Levy (CIL):- £140,684.33

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

Allotment Maintenance funds (ring fenced in accounts):- £250.00

Neighbourhood Plan:- £5,136.22

Bus Shelter (Insurance Claim and Members Grant):- £3,798.57

Will Legacy:- £1,078.00

Bench for Chester Road:- £659.00

Christmas Trees :- (£562.80) to be reimbursed

271.5 ICO:-

The Council confirmed payment of £35.00 to be made by direct debit in respect of the annual Data Protection fee to the ICO.

271.6 Internal Audit:-

Resolved:- The Council agreed to appoint Jake Gurr to carry out the annual audit for the financial year 2022 – 2023.

Proposed by Cllr Meredith and seconded by Cllr Barnett.

	271.7 Grant Process:- A notice inviting local organisations to apply for grants has been posted on the website and noticeboards. All grant applications are to be received by 31 March 2023.
272	S.106 FUNDING Cllr Clifford had previously circulated the agreement to allow transfer of s106 funding from the Council to Malpas and District Sports Club (MDSC). The agreement is a mirror of the agreement for transfer of the s106 funds from CWaC to Malpas Parish Council, with the changes being from Malpas Parish Council to MDSC, and the arrangements in Section 5.4. Section 5.4 makes MDSC responsible for managing the project, including payment in full to their contractor Leisure Surfaces. The s106 funds will only be transferred to MDSC when the project has been completed and signed off, by both the Council and MDSC, and Leisure Surfaces have been paid in full. This way, the Council have no financial exposure and MDSC having the funds can progress the project. Resolved:- The Council agreed to approve the agreement between the Council and Malpas and District Spots Club regarding the transfer of s106 funding. Proposed by Cllr Williams and seconded by Cllr Meredith.
273	BUSINESS PRIORITIES AND PROJECTS - WORK PLAN 2023 / 2024 There is no further update.
274	PLANNING 274.1 Planning Applications:- 274.1.1 23/00138/TPO - 7x mature trees, mixed Ash and Sycamore - Sever ivy from ground to 1.5m. 1x dead Sycamore - Fell to ground level. 1x dead Elm - Remove to ground level. 2x small Ash stems - Fell to ground level. Remove lower dead branches from 1x Sycamore next to the road. 1x Sycamore on rear boundary - Remove deadwood. Revisit in late spring to assess health of Ash trees at Hayside Walk Church Street Malpas Observations:- The Council objects to this application after careful consideration of the observations given below. If CWaC is minded to approve the application the Parish Council would request that the following conditions be included: That all the felled tree are replaced on a two for one basis as per Cheshire West Local Plan Part 2 (Policy DM45 – note 2) and the Malpas and Overton Neighbourhood Plan (Policy LC4) Background Factors: Within settlement boundary; Conservation area; Tree Preservation Orders Relevant Neighbourhood Plan Policies: LC4 Material considerations against development: - Potential impact on neighbours: The removal of any living tree will result in a reduction of carbon capture capability and is likely to have increase pollution on near neighbours; - Potential impact on wider community: The removal of any living tree will result in a reduction of carbon capture capability in the community and loss of wild life habitation. Other relevant information for consideration: The council strongly objects to the removal of any living trees unless there is a proven case of a loss of human life. This on the grounds that the removal of living trees is contradictory to the actions required to combat Climate Change. It is noted that the sketch plan provided with the application does not indicate the location of the seven trees to be felled, and only shows a red line around the complete

	Hayside Walk Development. When giving notice it is important that the trees and work specified are clearly stated with an accurate plan showing their location. The application from asks the applicant to provide their proposals for planting of replacement trees. The applicant has failed to do this. In accordance with the neighbourhood plan and CWaCs Local Plan you are required to replace trees on a two for one basis. The Council would highlight that an application 22/02096/CAT was received in July 2022 to remove 7 trees in the same area of Hayside Walk. Approving this application will devastate the wildlife habitat in this important green corridor in the village. The application should not be approved unless there is a proven severe threat to resident lives. It is also noted that the application has been submitted by a commercial company from Helsby rather than a local resident. If the Tree Officer is minded to approve this application then in line with the Planning rules of the Cheshire West Local Plan part 2 and the Malpas and Overton Neighbourhood Plan the council would request that the application is condition that lost trees are replaced on a two for one basis. <i>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.</i> Resolved:- The Council agreed to accept all the above planning observations. Proposed by Cllr Meredith and seconded by Cllr Clifford. 274.2 <u>To consider any applications received after the agenda has been Distributed:-</u> No new applications have been received. 274.3 <u>Recent decisions by CW&C:-</u> <u>Approved / Decided:-</u> 21/04652/FUL - Land At Sunnyside Malpas 22/01812/FUL - The Hough Granary Higher Wych Road Wigland Malpas 22/02008/FUL - Grove House High Street Malpas 22/04034/FUL - Ebnal Bank Farm Ebnal Lane Malpas 274.4 <u>Chester Road Site:-</u> Cllr Webb updated the meeting regarding the building work and finances for Laurel Bank surgery.
275	MONTHLY SURGERY <u>February surgery:-</u> The following issues were raised:- - Speeding Traffic and Road Linings at Hampton:- This has been passed to NMHD Parish Council. - Car Boot Sales:- Update by resident for plan to hold a Car Boot Sale in the village. - Gritting on Chester Road:- Complaint as gritting was not carried out. Ward Cllr Williams has updated resident. - Pothole:- Damage to tyre caused by pothole on Whitchurch Road. Web address provided to submit a claim to CWaC. - Speeding:- Complaint about speeding on Tilston Road; issue passed onto the police.
276	HIGH STREET CAR PARK Update:- - Cllrs Webb and Whitehurst have met with Cllr Clifford to go through various issues raised. These have been passed onto to CWaC to request explanations. - The purchase of the land has been delayed due to the deed of easement that is required for right of access across the car park which is owned by CWaC. This needs to be agreed.

	- The deposit of £7,500.00 has been transferred to the solicitor. - As the purchase has been delayed this means that CWaC will have to obtain updated construction costs from their new contractors. - Hill Dickinson, the solicitors acting on behalf of the Council, have written to advise that their fee has increased due to the amount of extra work generated by the land purchase. They have requested an interim payment of £1,500.00 plus VAT plus £882.00 plus VAT in respect of out of pocket expenses incurred to date. - The Council is due to pay the vendors fees, subject to the sale taking place.
277	CHURCHYARD WALL AND CHURCH STREET Cllr Webb provided feedback from the recent meeting of CWaC, the Rector and Church Street residents. This is to be followed up with a further meeting. There appears to have been some progress with the works recently.
278	ALLOTMENTS 278.1 Allotment Plots Update:- There are currently two plots which are not fit to let. There is currently one plot available to let (no 11). Allotment plot 12 has been let (payment and paperwork received). 278.2 Fly Tipping:- In December, the Council wrote to the previous allotment plot holder no 7 to request that all the items they left behind were removed from the site by 31st December 2022. To date, the items have not been removed. The Clerk has contacted CHALC for advice regarding the options available which include the Council paying for the Items to be removed using the £50.00 bond to facilitate this; making an insurance claim or using a Small Claims Court. The Council has retained the £50.00 key deposit fee and previously advised that this will not be returned; therefore the Council is to use this money to pay towards the cost of a skip hire to remove the items. The approximate cost of a 4 tonne midi skip is £194.60 inc vat. The Council are to make arrangements. 278.3 Car Park:- The surface of the car park at the allotment site requires attention. The Council are to obtain quotes for the works.
279	POND CREATION AT THE MOSSLAND A site meeting took place on Tuesday 31st January with CWaC to discuss the proposed pond creation at The Mossland. Roger Goulding (CWaC), Howard Enstone (Allotment Association), Paul Reeves (neighbouring tenant), the Clerk and Cllrs Webb and Whitehurst attended the meeting. Issues discussed:- - Installing 3 ponds at The Mossland; - Work can start when the ground has dried out; - CWaC will completely fund and undertake the works to create these with their own contractor, including sowing pond edge marginal plants. - The ponds would need planning permission (this will take about a month), CWaC are to apply for planning permission (there will be no charge to the Council); The Council agreed in principle to the creation of ponds at The Mossland.
280	APPEARANCE OF MALPAS 280.1 Street Furniture Update:- Dog Bag Dispenser:- The Clerk is in the process of making arrangements for installation. 280.2 Bus Shelter – Old Hall Street:- The Clerk has chased both CWaC and Paul Williams for updates. It is hoped that the new shelter can be installed at the same time the work to drop the kerbs is carried out. 280.3 Village Pump:-

	Cllr Whitehurst is to liaise with Bovis regarding the plinth design. 280.4 <u>Hanging Baskets:-</u> The Clerk is to contact businesses in the village. 280.5 <u>Parish Council Noticeboard:-</u> The Clerk has contacted Paul Williams to request a quote to carry out repairs to the noticeboard that is located at the launderette as water has caused damage to the corkboard.								
281	DEFIBRILLATOR Barlows have installed the external heated cabinet at the Jubilee Hall and the defibrillator is now available. Both items have been added to Fixed Asset schedule and to the insurance schedule. Zurich have advised that they have added the defibrillator and cabinet to the policy and there is no additional charge for this year. They advised that this may incur an additional charge at renewal of approximately £10.00. The Council are to make arrangements for a defibrillator training session at the Annual Parish Meeting and to invite local businesses to attend. Arrangements are in progress for plaque with the wording:- “This defibrillator was funded by a legacy from Michael Maurice Schroeder who died in 2019 and wanted to thank Malpas for the welcome given to him as a World War II Liverpool evacuee.”								
282	THE CROSS Arrangements are in progress to meet with the Inspector of Ancient Monuments regarding the proposed works to The Cross; he has offered to pay a site visit to talk through the scope of the work required.								
283	CHESTER ROAD PAVEMENT CWaC has advised that Bovis Homes are unwilling to alter the requirements of the Section 106 agreement. Bovis’s view is that if the Council cannot use the £65,000.00 for the stated footpath the money has to be returned to them. They are unwilling, for a number of reasons, to consider letting the Council use the money for an alternative project. The Council are to arrange for a meeting with Karl Farrow, Highways, and Ward Cllr Rachel Williams to discuss how to progress the installation of a pavement on Chester Road.								
284	WEBSITE Arrangements are in progress for the dedicated Council website.								
285	BUS CHARGES The Council agreed to write to the local MP to request that the government initiative to have a temporary £2 per journey flat rate concessionary bus charge is extended to include all bus operators in England.								
286	WINTER GRITTING Cllr Webb and Ward Cllr Williams have met with Highways department to discuss installing grit bins and gritting operations in the village. It was suggested that the new Council in May locate the sites of the current grit bins and requests for further grit bins in the village.								
287	COST OF LIVING No further update.								
288	COMMUNITY RESILIENCE PLAN (CRP) Cllr Granger had emailed to request that various items are purchased, e.g. blankets and first aid kits as part of the CRP. The CRP is to be updated and to include a gritting plan.								
289	CLERK’S REPORT <table><tr><th>No.</th><th>Item</th><th>Update</th></tr><tr><td>289.1</td><td>Chester Road Site</td><td>A letter has been sent to CWaC to state that the Council understands the properties at the Duchy development are connected to the gas supply. The Council expressed their</td></tr></table>			No.	Item	Update	289.1	Chester Road Site	A letter has been sent to CWaC to state that the Council understands the properties at the Duchy development are connected to the gas supply. The Council expressed their
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			disappointment as they did not expect to see fossil fuels being used in new developments.
289.2	CIL		A list of CIL payments received to date and that are due to be paid has been circulated.
289.3	Car park		Contacted the police regarding the two vehicles have yet to be removed from the High Street car park. Reply circulated,
289.4	Police in Village		Concerns regarding the lack of visual police presence in the village have been passed on to the police.
289.5	Jubilee Hall		The Council has written to Ann Barlow regarding grants funding.
289.6	Training		Cllr Clifford booked to attend session - David Kaiserman Planning for Parish and Town Councillors Wednesday 1st February at 10.00am.
289.7	Overton Common		Enquiry sent to CWaC to enquire regarding land ownership of Overton Common, Malpas with CWaC. CWAAC has replied to confirm that it is common land.
289.8	BBC		The BBC submitted a request for paperwork that was circulated to set the budget and precept for 2023/24. The information has been provided.
289.9	Charities Commission		The Annual Return for The Mossland 2021 – 2022 has been submitted to the Charities Commission.
289.10	Bench		Chased CWaC to send an invoice for the bench on Chester Road.
289.11	Neighbourhood Plan purchase order		Order placed with CWT @ £2,990.00 plus VAT.
289.12	Neighbourhood Plan Review		Notices placed on the noticeboard and website.
289.13	Neighbourhood Plan meetings		Jubilee Hall booked for meetings of the Neighbourhood Plan Steering Group.
290	EXTERNAL CORRESPONDENCE INCLUDING SUGGESTION BOX List previously circulated to Cllrs.		
291	UPDATES FROM OUTSIDE ORGANISATION REPRESENTATIVES No updates.		

The meeting closed at 8.50 p.m.

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