

**MINUTES OF MALPAS PARISH COUNCIL MEETING
HELD ON MONDAY 12TH JUNE 2023
IN THE VICTORIA JUBILEE HALL, MALPAS AT 7.00PM**

	PRESENT Cllrs Tina Barnett, Eric Bickley, Roger Clifford, Sean Davies, Charles Higgle, Oryan Lightning, Karen Meredith, Martin Shackleton, Adrian Waddelove. Chris Whitehurst, Michael Williams (Chairman). The Clerk. Rachael Wheelan, Archway Homes, attended part of the meeting. Sixteen members of the public attended part of the meeting.
32.	APOLOGIES Cllr Morgan Granger.
33.	DECLARATION OF INTERESTS Cllr Higgle declared a non-pecuniary interest in item 42 of the minutes as he is a member of the Malpas Joint Burial Board. Cllr Waddelove declared a non-pecuniary interest in item 42 of the minutes as he is a member of the Malpas Joint Burial Board. Cllr Lightning declared a pecuniary interest in item 40.1 of the minutes as he is a member of the Jubilee Hall Committee. Cllr Williams declared a non-pecuniary interest in item 40.1 of the minutes as his wife is a member of the Jubilee Hall Committee and item 51 as his wife is on the steering group.
34.	APPROVAL OF THE MINUTES <u>Minutes of the Parish Council Meeting on 22nd May 2023:-</u> Resolved:- There were slight amendments made to the numerical references on the minutes. The Chairman is to sign the amended minutes of the Parish Council Business Meeting held on 22nd May 2023 as a true and proper record. Proposed by Cllr Lightning and seconded by Cllr Whitehurst.
35.	OPEN FORUM Rachael Wheelan, Archway Homes, attended the meeting and responded to the various questions / concerns that were raised by the Council and residents in the extraordinary meeting including the following:- - Proposed footpath route from the site; - Energy supply to the properties; - Affordable housing provider (Archway Homes preferred supplier is Muir Housing); - Allocation of affordable houses; - Construction method statement, including access route and timings of deliveries; - Concerns regarding drainage, sewage and surface water; - Loss of gardens on the Bovis estate due to access to the site; - Allocation of s106 funding; - Maintenance of hedging which borders the site.
36.	INTERNAL PROCEEDURES There is to be a meeting to review the council's policies
37.	COUNCIL VACANCIES Two people have contacted the Council to be considered for co-option, Martin Shackleton and Julie James-Collins.

	Resolved:- The Council agreed to co-opt Martin Shackleton to fill the Casual Vacancy; he duly signed the Acceptance of Office. The Council agreed to invite Julie James-Collins to attend the July meeting as she was unable to attend the June meeting. Proposed by Cllr Higgle and seconded by Cllr Clifford.																														
38.	POLICE REPORT There are concerns as to whether there will be a replacement for PCSO Hurst. The Council agreed to write to the PCC to request an update regarding PCSO cover in the village. Cllr Higgle is to prepare a letter which the Clerk is to send to the PCC. Residents are urged to report all incidents of anti-social or criminal behaviour by calling 101.																														
39.	RURAL MARKET TOWNS GROUP The Council considered whether to take out annual membership of the Rural Market Towns Group at a cost of £74.00 plus VAT and agreed to defer the decision so as to establish the benefits of taking out the membership.																														
40.	ACCOUNTS 40.1 <u>To approve the following payments:-</u> <table border="1"> <thead> <tr> <th>Chq No</th><th>Payee</th><th>Statutory Power</th><th>Amount</th></tr> </thead> <tbody> <tr> <td>560</td><td>Running Costs</td><td>s.111</td><td>£ 86.07</td></tr> <tr> <td>561</td><td>Victoria Jubilee Hall</td><td>s.111</td><td>£ 122.50</td></tr> <tr> <td>562</td><td>GRANT:- Malpas Young Persons Project</td><td>s.137</td><td>£ 1,500.00</td></tr> <tr> <td>563</td><td>GRANT:- Malpas Community Minibus Assoc'n</td><td>s.137</td><td>£ 1,000.00</td></tr> <tr> <td>564</td><td>GRANT:- 1st Malpas Scouts Group</td><td>s.137</td><td>£ 800.00</td></tr> <tr> <td>566</td><td>GRANT:- Victoria Jubilee Hall</td><td>s.137</td><td>£ 2,000.00</td></tr> </tbody> </table> The Clerk's salary was paid by standing order. Resolved:- The Council agreed to the above payments. Proposed by Cllr Higgle and seconded by Cllr Meredith. 40.2 <u>Receipts Received as at 1st June 2023:-</u> None received. 40.3 <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 June 2023 was £285,570.19. The funds are allocated as follows:- Parish Council - £64,640.58 New Homes Bonus - £23,265.78 Community Infrastructure Levy (CIL):- £155,684.33 Allotment Deposits (ring fenced in accounts):- £550.00 Allotment Maintenance funds (ring fenced in accounts):- £87.83 Neighbourhood Plan:- £8.72 Will Legacy:- £893.95 Christmas Tree (to be reimbursed) – (£12.14) Police Grant - £3,000.00			Chq No	Payee	Statutory Power	Amount	560	Running Costs	s.111	£ 86.07	561	Victoria Jubilee Hall	s.111	£ 122.50	562	GRANT:- Malpas Young Persons Project	s.137	£ 1,500.00	563	GRANT:- Malpas Community Minibus Assoc'n	s.137	£ 1,000.00	564	GRANT:- 1st Malpas Scouts Group	s.137	£ 800.00	566	GRANT:- Victoria Jubilee Hall	s.137	£ 2,000.00
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41.	FOCUS ON 2023 to 2024 - BUSINESS PRIORITIES AND PROJECTS Cllr Williams previously circulated a document for the Council to consider and focus on 2023 – 2024. It was suggested that the Council holds a separate meeting to discuss further. The Clerk is to make enquiries with Tattenhall Parish Council about setting up a Youth Council.																														
42.	MALPAS JOINT BURIAL BOARD 42.1 <u>Grant:-</u> To consider grant request for £5,000.00 towards renovations to The Lodge																														

	42.2 <u>Loan:-</u> The Council considered request received from Malpas Joint Burial Board (MJBB) for a loan to the maximum amount of £30,000.00 to be repaid over a period of 5 years. The Clerk has contacted CHALC to establish whether the Council can loan the money to MJBB and, if so, what are the legal requirements. CHALC has replied to confirm that the Council can make a loan to MJBB; the application would need to be made through CHALC to the Secretary of State; a legal agreement would need to be drawn up between MJBB and the Council; there would have to be a consideration of the rate of interest. CHALC also suggested that the Council needs to consider the risk involved and to request that MJBB present a business plan. Resolved:- The Council agreed to arrange a meeting with MJBB to discuss both requests for a grant and a loan. Proposed by Cllr Shackleton and seconded by Cllr Lightning.
43.	LOGO Cllr Lightning circulated a proposed new logo design for the Council. The Council suggested some amendments; a revised proof is to be prepared for the July meeting.
44.	MEETING VENUE The Council considered whether they wish to change venue to hold the business meetings due to acoustics. Cllr Lightning is to speak with the Jubilee Hall Committee regarding moving the monthly meeting to another date in the month and also to speak with the other group regarding the noise levels.
45.	PLANNING 45.1 <u>Planning Applications:-</u> 45.1.1 23/01586/TPO - : Oak (T1) - Reduce the height of the dying stem to approx. 10m. Reduce height and spread of crown by approx. 2-3m to nearest suitable branch unions. Remove sucker branches from the lower stem of the tree. Remove dead branches from over Old Hall Street and Old Cedars at The Cedars Old Hall Street Malpas Observations:- The Council objects to this application after careful consideration of the observation given below:- Background Factors: Within settlement boundary; Conservation area; Tree Preservation Order Relevant Neighbourhood Plan Policies: LC4 Potential benefits to the community: None identified Potential impact on neighbours: None identified Potential impact on wider community: None identified Other relevant information for consideration: - The Oak tree is afforded legal protection by Tree Preservation Order and as such the council would want to see the absolute minimum essential work taking place on it. - Paragraph 4.13 of the application Tree Assessment Report from MPTrees states: The application suggests that the tree is at a potential risk of failure. However Paragraph 4.13 of the application Tree Assessment Report from MPTrees states: David Lonsdale in his book Principles of Tree Hazard and Management 1 notes in relation to Ganoderma australe, “It may take a great many years before the decayed zone becomes dangerously large in relation to the extent of sound wood, if ever, since the tree can produce compensatory growth of extra wood on response to the increased flexure caused by the decay.”

He adds that “Some trees remain standing for many years while acting as hosts for these fungi, as shown by the considerable age of the perennial fruit bodies that they bear.”

- The Oak tree has already had the crown reduced to the north and east, during the recent development of the Cedars, although it would appear that this has not been carried out to industry standards.

- Paragraph 4.31 of the report also states “The Cedars was constructed in 2020 and it is likely that the root and possibly stem damage that led to infection by the Ganoderma fungus.

This statement does not give the Parish Council confidence in “tree specialists”

- Our trees in the rural community of Malpas have been under pressure during in the last two – three years with many of its mature trees being removed and large amounts of pruning taking place without good safety reasoning. For that reason we would like the Tree Officer to pay a site visit.

- In addition the two for one replacement policies in the Local Plan Part 2 and the Malpas and Overton Neighbourhood Plan has not been adhered to, hence we are seeing a significant decline in our green infrastructure.

- These constant removals and heavy pruning is contrary to the drive to make the borough a “greener environment”, and the council would urge to Cheshire West Tree Team to be more sensitive and aware of the longer term consequences in its approach to approving TPO and CAT applications.

- *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.*

Proposed by Cllr Meredith and seconded by Cllr Bickley.

45.1.2 23/01549/FUL - External alterations to alter and extend roof, addition of a chimney, alterations to windows and doors, erection of front porch, and internal alterations at The Lower Rectory Church Street Malpas

Observations:-

The Council would make the observations as documented below:

Background Factors: Within settlement boundary; Conservation area; Listed Building;

Relevant Neighbourhood Plan Policies: BE3, BE4, SF2, LC3

Potential benefits to the community: None Identified

Potential impact on neighbours: None identified

Potential impact on wider community: Alterations to the street facing North West elevation in the public realm

Other relevant information for consideration:

- As this is a Grade 2 listed building, the Parish Council would want to see that the Conservation Officer is satisfied that the materials and proposed work are in keeping with the character of the building and its surroundings. That they do not negatively impact on the setting of the Lower Rectory, other listed buildings or character buildings as defined by the Neighbourhood Plan.

Malpas Parish 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.

Proposed by Cllr Meredith and seconded by Cllr Bickley.

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

No new applications have been received.

45.3 Recent decisions by CW&C:-

	<u>Approved / Decided:-</u> 22/04345/FUL - 7 Love Lane Overton Malpas 23/00431/FUL - 17 Depenbech Close Malpas 23/00448/FUL - 1 Hayside Walk Malpas 23/00843/FUL - End Barn The Hough Higher Wych Road Wigland Malpas <u>Refused:-</u> 22/04467/FUL - Oldcastle Mill Granary Oldcastle Mill Lane Oldcastle
46.	MONTHLY SURGERY Cllrs Whitehurst and Barnett updated the meeting regarding the following matters which were raised at the surgery:- - Community Web Site queries - Bus Shelter on Old Hall Street - Waste Bins - Cemetery - Overgrown Hedges - Potholes
47.	THE MOSSLAND 47.1 <u>Trust:-</u> The Mosslands Trust is to be drawn up once the land has been registered with the Land Registry. 47.2 <u>Site Visit:-</u> The Clerk is to contact the Allotments Association to agree the arrangements for a Site Visit to take place for new Members.
48.	HIGHWAYS 48.1 <u>B5395 Speed Limit:-</u> The Council considered requesting for a speed reduction on the B5395 and whether the Council would be prepared to pay the costs. CWaC has yet to confirm the costings. The Clerk is to contact Agden Parish Meeting and Tushingham, Macefen and Bradley parish Meeting to establish if they would be willing to contribute towards the cost as part of the B5395 falls within their parishes. The Clerk is to enquire about additional signage at the bridge, such as a 'recommended speed' sign, to encourage drivers to slow down. 48.2 <u>Tilston Road Speed Limit:-</u> The Council considered actions involved for a speed reduction on Tilston Road and agreed to contact CWaC to request that a speed assessment be carried out for the length of the road from Malpas to Tilston. 48.3 <u>Speed Gun:-</u> The Council discussed speed gun training for Councillors.
49.	FOOTPATH 10 Ward Cllr Williams has written to the Council as residents are complaining about the bowling club walkway from Hughes Lane to the Church. PROW, CWaC, has visited the site and has said that the path can be sided out and filled with gravel and the hedge hard cut back; however PROW funding is an issue. Ward Cllr Williams has contacted the Council to see if they will contribute towards the cost along with her members budget. Cllr Whitehurst informed the meeting that he had spoken with Mr Hughes who has advised that he is willing to cut back the hedge and to widen the footpath. Cllr Whitehurst is to liaise with Ward Cllr Williams and Mr Hughes regarding the work required.
50.	HIGH STREET CAR PARK CWaC is due to provide an update regarding costings and right of access / way. The Council is to request that Ward Cllr Williams follows this up with CWaC.

51.	CHRISTMAS Malpas Christmas Fair Committee wish to start planning for this year's Christmas market on behalf of Malpas parish council and to request financial support from the Council. It is planned to hold an outside street market and stalls along with a grotto inside of the Jubilee Hall. This event will need an event application, Alcohol Licence, Liability insurance and medical cover. The Malpas Christmas Fair Committee requested for the Council to support the costs for medical cover, estimated to be around £350.00; an Alcohol Licence £21.00 and to request that the parish council liability insurance will again cover the event which would incur no extra cost and ask if this can be investigated. Resolved:- The Council agreed to the request for the Council to support cost for medical cover, estimated at approximately £350.00; an Alcohol Licence £21.00 and the request that the parish council liability insurance cover the event. Proposed by Cllr Barnett and seconded by Cllr Shackleton.																
52.	COMMUNITY RESILIENCE PLAN The contact names in the plan need to be updated. This purchase of items was deferred.																
53.	APPEARANCE OF MALPAS 53.1 <u>Bus Shelter Old Hall Street:-</u> Update:- The bus shelter is now installed. Arrangements are in progress with CWaC regarding the relocation of the bus stop, road markings and dropped kerb. The street lighting in the High Street needs attention.																
54.	CCTV 54.1 <u>Update:-</u> Cllr Lightning provided an update on costings to install CCTV for the High Street car park (this is to be paid from the PCC grant received for £3,000.00). Resolved:- Cllr Lightning is to confirm how long the data is retained. The Council agreed to place an order with Barlows to install CCTV in the High Street car park at a cost of £2,590.00 plus VAT. Proposed by Cllr Clifford and seconded by Cllr Shackleton. 54.2 <u>Phase Two:-</u> The Council discussed the proposal for a phase two for CCTV to include the High Street. This is to be formally considered at a later stage.																
55.	FACEBOOK Cllr Lightning updated the meeting regarding the contents of the new Facebook page.																
56.	WEBSITE The Clerk is to go ahead with the amended layout of the website which is to be dedicated to Parish Council matters.																
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			• Top of Springfields x 1 • Chester Road / Ebnal Bank (by 'Welcome to Malpas' village sign) x 1 • Whitchurch Road / Mastiff Lane junction (by 'Welcome to Malpas' village sign) x 1 • Wrexham Road / Sunnyside junction (by 'Welcome to Malpas' village sign) x 1
	57.5	Clock Service	Email sent to Smith of Derby to advise that the Council decided not to instruct Smith of Derby to carry out an annual service of the Jubilee clock.
	57.6	PCSO	Update circulated to Cllrs.
	57.7	Training	Booked Cllr Davies and Granger to attend Councillor Induction training 08/06/23.
	57.8	Representatives on the Burial Board	Asked MJBB to advise how many Parish Council representatives are required Reply received to request that 2 councillors be voted onto the board by the Council.
	57.9	Monthly Surgeries	Jubilee Hall has been booked for the first Saturday of the month. The rota has been emailed and posted on the noticeboard.
	57.10	Grants	Emails sent to grant applicants regarding the Council's decisions.
58.	EXTERNAL CORRESPONDENCE INCLUDING SUGGESTION BOX List previously circulated to Cllrs.		
59.	UPDATES FROM OUTSIDE ORGANISATION REPRESENTATIVES There were no updates.		

The meeting closed at 9.20 p.m.

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