

**MINUTES OF MALPAS PARISH COUNCIL MEETING
HELD ON THURSDAY 28TH MARCH 2024
IN MALPAS COMMUNITY CHURCH, HIGH STREET, MALPAS AT 7.00 PM**

	<p>PRESENT Cllrs Tina Barnett, Julie James Collins, Charles Higgie, Oryan Lightning, Alan Moore, Berthold Schoene, Martin Shackleton, Chris Whitehurst, Michael Williams (Chairman). The Clerk. Ward Cllr Rachel Williams. One member of the public attended part of the meeting.</p>
287.	<p>APOLOGIES Cllrs Sean Davies (personal reason), Morgan Granger (personal reason), Karen Meredith (personal reason), Adrian Waddelove (personal reason). Cllr Eric Bickley has advised the Council that he is to step down from the Council. The Clerk is to inform CWaC of the vacancy.</p>
288.	<p>DECLARATION OF INTERESTS Cllr Higgie declared a non-pecuniary interest in item 304 as he is a member of the Malpas Joint Burial Committee. Cllr Whitehurst declared a non-pecuniary interest in item 292 and did not take part in the voting.</p>
289.	<p>APPROVAL OF THE MINUTES <u>Minutes of the Parish Council Meeting on 29th February 2024:-</u> Resolved:- Item 275.5 was amended to add “each event” The Council then approved the minutes of the Parish Council meeting held on 29th February 2024. The Chairman signed the minutes as a true and proper record. Proposed by Cllr Higgie and seconded by Cllr Lightning. <u>Minutes of the Parish Council Extraordinary Meeting on 12th March 2024:-</u> Resolved:- The Council approved the minutes of the Parish Council extraordinary meeting held on 12th March 2024. The Chairman signed the minutes as a true and proper record. Proposed by Cllr Lightning and seconded by Cllr Barnett.</p>
290.	<p>OPEN FORUM Cllr Whitehurst informed the meeting of a resident who will be 100 years old; Cllr Higgie volunteered to contact Buckingham Palace and request that the King send a telegram to mark the occasion.</p>
291.	<p>INTERNAL PROCEEDURES It was suggested that the Council go through the remaining internal documents at the Annual Meeting in May.</p>
292.	<p>CASUAL VACANCY Two expressions of interest have been received and circulated from Mr Tony Dickenson and Mr Alan Moore. Both attended the meeting. Resolved:- The Council agreed to co-opt Mr Alan Moore. He duly signed the Acceptance of Office. Proposed by Cllr Lightning and seconded by Cllr Shackleton.</p>
293.	<p>POLICE REPORT There was no police report. The PCSO is due to attend the next surgery.</p>
294.	<p>ANNUAL PARISH MEETING The Council discussed what to do for the Annual Parish Meeting. It was agreed to hold the meeting on a separate evening. The Council agreed to invite previous grant recipients and possibly have defibrillator training. The Clerk is to circulate suggested dates.</p>

295. ACCOUNTS

295.1 To approve the following payments:-

Chq No	Payee	Statutory Power	Amount
616	HMRC - PAYE Mar 2024	s.111	£142.18
617	Joint - Running Costs / reimburse lifebuoy for The Mossland		£152.22
618	Then Media Ltd (website)	S.111	£ 24.00
619	Victoria Jubilee Hall	S.111	£ 40.50

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 Schoene,

295.2 Receipts Received as at 31st January 2024:-

The Council noted CIL received for the sum of £53,268.84 in respect of planning application 21/00354/REM (Duchy Homes site at Land Off Chester Road for the 57 dwellings).

295.3 Accounts and Bank Reconciliation:-

The summary of Receipts and Payments was previously circulated.

The reconciled balance in the current bank account as at 1st March 2024 was £213,878.79.

The funds are allocated as follows:-

Parish Council - £35,083.26

New Homes Bonus - £23,265.78

Community Infrastructure Levy (CIL):- £155,684.33

Allotment Maintenance funds (ring fenced in accounts):- £87.83

Neighbourhood Plan:- £8.72

Will Legacy (balance allocated to CCTV phase 2):- £0.00

Christmas Tree (to be reimbursed) – (£51.08)

Police Grant (balance allocated to CCTV phase 2) - £0.00

Donation:- due for CCTV – (£200.05)

295.4 Grant Process:-

The closing date for applications is 31st March 2024.

295.5 Bank Accounts:-

The Council considered the following actions:-

- To open up a new Deposit Bank Account for The Mossland.
- To transfer the funds that are in The Mossland Current Bank Account to the new Deposit Bank Account set up for The Mossland.
- To use The Mossland Current Bank Account for the Events Committee.
- To open up a Parish Council Deposit Bank Account; to agree what type of Deposit Account and to agree how much funds to transfer

Resolved:- The Council agreed to the following actions:-

- **To open up a new Deposit Bank Account for The Mossland.**
- **To transfer the funds that are in The Mossland Current Bank Account to the new Deposit Bank Account set up for The Mossland.**
- **To use The Mossland Current Bank Account for the Events Committee.**
- **To open up a Parish Council 35 day Deposit Bank Account and to transfer the s106 and CIL funds that are in the current bank account.**

Proposed by Cllr Higgle and seconded by Cllr James Collins.

296. BUSINESS PRIORITIES AND PROJECTS

The car park remains the Council's top priority.

297. PLANNING

297.1 Planning Applications:-

297.1.1 24/00462/FUL - Erection of two storey and part single storey rear extension. Alterations to windows and doors, new front porch, re-rendering elevations with partial cladding to rear and side elevations. Alterations to existing rear detached garages at The Hollies Old Hall Street

Observations:-

The Council agreed to make the following observations:-

If CWaC is minded to approve the application, the Parish Council would request that the following conditions be included:

1/ the provision of two Bat Boxes.

2/ The provision of a Barn Owl box. This should face Northeast to mitigate against the prevailing west winds. See additional note in other relevant information.

Background Factors: Open countryside; Conservation area; Tree Preservation Orders Relevant Malpas and Overton Neighbourhood Plan Policies: BE3

Relevant Local Plan Part 2 Policies: ENV 2, ENV 4, ENV 6, DM 3, DM21, DM 44 and DM46

Potential benefits to the community: None identified

Potential impact on wider community: Visibility from the public realm I.e. Malpas Footpath FP4; Impact on the Malpas Conservation Area.

Other relevant information:

As the site is in the Malpas conservation area, the Parish Council would like re-assurance that the County Conservation Officer is happy with the proposed development.

The Cheshire Ecology report recommends the provision of two Bat Boxes, and the Parish Council would ask that this is conditioned if the application is granted permission.

The Cheshire Ecology report summary also states:

“A barn owl box should be placed on a mature tree. The barn owl box should be installed at least 5m above the ground and be constructed using the design published by the Barn Owl Trust.

It should face towards the open countryside.”

A representative of the Broxton Barn Owl Group who is also a Parish Councillor, would comment that the box should face the open countryside in a north or easterly direction, this to mitigate against the prevailing westerly winds.

If there is no mature or suitable tree in an open situation, then a Barn Owl box could be mounted on a recovered telephone pole.

In addition, a provision height of 4 metres would suffice as this would facilitate a safe inspection by certificated officials should a Barn Owl decide to use the box as a roost or breeding nest.

It is noted that the proposed front elevation does not include the Triangle and Diamond designs on the front of the building as is present in the drawing of the existing elevation.

The Parish Council would want to see this feature retained.

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.

297.2 24/00598/FUL - Proposed installation of 2no. external mobility scooter stores at Craddock Court Malpas

Observations:-

The Council agreed to support the application and make the following observations:-

	<p>Background Factors: Within settlement boundary Relevant Local Plan Part 2 Policies: DM21, DM46 – DM48 Potential benefits to the community: Benefits to the residents of Craddock Court and any visitors who use mobility scooters Potential impact on neighbours: This development should ensure there is no impact on the near neighbours' amenity space Potential impact on wider community: None identified. Other relevant information:- <i>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.</i></p> <p>Resolved:- The Council agreed to the above observations. Proposed by Cllr Whitehurst and seconded by Cllr Higgle.</p> <p>297.2 <u>To consider any applications received after the agenda has been distributed:-</u> No new applications have been received.</p> <p>297.3 <u>Recent decisions by CW&C:-</u> There are no updates.</p>
298.	<p>MONTHLY SURGERY No residents attended the March surgery.</p>
299.	<p>SLOW DOWN FOR MALPAS Cllr Schoene previously circulated a report with the following update:-</p> <ul style="list-style-type: none"> - Meeting held with Highways and Ward Cllr Williams to discuss highways proposals; - Recent traffic assessment carried out on Wrexham Road; - The possibility of having a VAS installed on Wrexham Road; - Additional signage at the village entrance signs to encourage drivers to slow down; - Request to extend the current 20mph speed limit on Church Street to past the entrance to Berwyn View; - CWaC advised that the Council could apply to use the portable speed device; - To liaise with Threapwood Parish Council regarding the Highways initiatives; <p>The Council are to consider action when the report from the recent traffic assessment has been received.</p>
300.	<p>HIGH STREET CAR PARK Ward Cllr Williams and the Clerk are due to have a meeting with CWaC on 12/4/24 to progress the car park project.</p>
301.	<p>HIGHWAYS</p> <p>301.1 <u>Speed Limit:-</u> To receive and consider request whether to instruct CWaC to carry out an assessment for 40 mph speed limit to be implemented after Chorlton Villas, Whitchurch Road, Malpas CWaC has advised they have not been able to progress this due to seasonal commitments and will progress late spring / summer.</p> <p>301.2 <u>20 mph stickers:-</u> The Council considered the purchase of 20 mph stickers for wheelie bins Resolved:- The Council agreed to purchase 500 @ 20 mph stickers for wheelie bins' stickers at £395.00 plus VAT (white self-adhesive weatherproof vinyl. Size: 220 x 300mm) - subject to approval from CWaC. Proposed by Cllr Shackleton and seconded by Cllr Schoene.</p> <p>301.3 <u>Chester Road Pavement:-</u> CWaC has advised they have not been able to progress this due to seasonal commitments and will progress late spring / summer.</p>

<p>302.</p>	<p>APPEARANCE OF MALPAS</p> <p>302.1 <u>Street Furniture:-</u> Work in progress.</p> <p>302.2 <u>Bus Shelter Old Hall Street:-</u> CWaC have instructed the technical support team to make arrangements regarding the draft licence.</p> <p>302.3 <u>Planters and Hanging Baskets:-</u> The Council discussed ordering the hanging baskets on behalf of businesses in the village and agreed not to place an order this year. Cllr James Collins informed the meeting of the offer to plant two planters (locations to be agreed). The Clerk advised that Walkers Nurseries have quoted £63.50 plus VAT to refill each planter. Cllr Shackleton suggested that there be a competition for the best dressed shop frontage. Resolved:- The Council is to place an order with Walkers Nurseries for five planters to be refilled at a cost of £63.50 per planter. Cllr James Collins is to make arrangements to fill the remaining two planters. The Clerk is to liaise with Cllr James Collins regarding which planters. Proposed by Cllr Shackleton and seconded by Cllr Schoene.</p> <p>302.4 <u>Jubilee Clock:-</u> The Clerk has made enquiries for costs to have the clock lit up. Smith of Derby has advised it would be in the region of £600.00 - £700.00 plus VAT; in addition the Council would need to provide and pay for a hoist to enable the work to be carried out. The Council considered the item and agreed not to proceed.</p>							
<p>303.</p>	<p>EVENTS COMMITTEE</p> <p>303.1 <u>Bank Account:-</u> See item 295.5.</p> <p>303.2 <u>Underwriting:-</u> The Council received the budget for the Village Fair and considered whether to underwrite the Village Fair. Resolved:- The Council agreed to underwrite the Village Fair for up to the sum of £10,000.00 Proposed by Cllr Higgle and seconded by Cllr Schoene.</p>							
<p>304.</p>	<p>MALPAS JOINT BURIAL COMMITTEE (MJBC)</p> <p>The Clerk is in the process of arranging meeting with CHALC, MJBC and NMHD PC to go through the proposed constitution and financial matters; it is hoped this will take place in April.</p>							
<p>305.</p>	<p>WEBSITES</p> <p>305.1 <u>Parish Council Website:-</u> The Council has received quotes for postcards to be distributed to houses in the village to launch the new website and to also include contact details for CWaC. The Clerk is to make arrangements to prepare a proof and circulate to Cllrs for approval.</p> <p>305.2 <u>Community Website:-</u> Cllr Whitehurst advised he is happy to continue hosting the community website.</p>							
<p>306.</p>	<p>CLERK'S REPORT</p> <table border="1" data-bbox="172 1908 1503 2092"> <thead> <tr> <th data-bbox="180 1908 308 1944">No.</th> <th data-bbox="308 1908 659 1944">Item</th> <th data-bbox="659 1908 1495 1944">Update</th> </tr> </thead> <tbody> <tr> <td data-bbox="180 1944 308 2092">306.1</td> <td data-bbox="308 1944 659 2092">The Mossland – Legal</td> <td data-bbox="659 1944 1495 2092">The Clerk is in the process of contacting the two firms of solicitors to make further enquiries regarding the options and implications as to whether The Mossland is to remain registered or to deregister with the Charity Commission.</td> </tr> </tbody> </table>		No.	Item	Update	306.1	The Mossland – Legal	The Clerk is in the process of contacting the two firms of solicitors to make further enquiries regarding the options and implications as to whether The Mossland is to remain registered or to deregister with the Charity Commission.
No.	Item	Update						
306.1	The Mossland – Legal	The Clerk is in the process of contacting the two firms of solicitors to make further enquiries regarding the options and implications as to whether The Mossland is to remain registered or to deregister with the Charity Commission.						

306.2	VAS Old Hall Street	Requested update from CWaC regarding installation. CWaC has advised that no date has been set yet and that there are two suggested locations.
306.3	The Mossland: Rent	Invoice sent to Mr Reeves for annual rent. Rent has been received.
306.4	The Mossland: Allotments	Allotment plot 1 – payment now sorted. Allotment plot 6 (1/2 plot) – paperwork and payment returned.
306.5	The Mossland: Ponds	‘Danger – Deep Water’ signage has been purchased by and has now been put up by the Allotments Association.
306.6	The Mossland: Ponds insurance	Response received from Zurich Insurance:- “Regarding the ponds: <ol style="list-style-type: none"> 1. If you are legally responsible for the land and now the continued maintenance overseeing of this we would expect you to risk assess the land and its use. Signage and the lifebuoy are great steps to help minimise any risk. 2. Your insurance policy covers injury or damage to a 3rd party through Public Liability in the event you or your actions are found to be negligent. 3. No additional costs as your PL covers your territorial responsibilities as long as you have legal responsibility and insurable interest (Subject to standard exclusions in your policy wording and schedule). 4. I have attached the LCAS guide on Risk assessments 5. I can’t advise on this, however, if you identify an action to take in your risk assessment we would request that you follow this through as in the event of a claim you would be expected to disclose your risk assessments and decision making. <p>The common ground on the allotment will be covered by your policy. The individual plots will not be covered as we would not cover the actions of a 3rd party and you aren’t likely to be able to monitor and regulate what people do on their plots.”</p>
306.7	The Mossland- Lifebuoy	The order has been placed and received for a Lifebuoy Ring to be installed at The Mossland. The Clerk is in the process of arranging with the Allotments Association to install it at the site.
306.8	The Mossland- Signage	The order has been placed with Sign of the Times for signs that are to be up put up at The Mossland.
306.9	Bradley Bridge	The Council raised concerns with CWaC regarding Bradley Bridge; enquired with Highways for additional signage. Officers have assessed the location and advised that the location does not meet criteria for intervention; whilst they provisionally would not authorise the placement of signage they have requested the type of warning signage that the Council would wish to have installed.
306.10	Flooding on the road to No Mans Heath	Email sent to CWaC to request that Highways rectify the situation.

			CWaC have advised that they have cleared the flood water and jetted the system until it was clear and functioning.
	306.11	Hanging Baskets	Contacted Walkers Nurseries to request a quote.
307.	EXTERNAL CORRESPONDENCE INCLUDING SUGGESTION BOX List previously circulated to Cllrs.		
308.	UPDATES FROM OUTSIDE ORGANISATION REPRESENTATIVES There were no updates.		
309.	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 which are of a sensitive nature. Proposed by Cllr Shackleton and seconded by Cllr Lightning.		

The meeting closed at 8.22 p.m.

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