MINUTES OF MALPAS PARISH COUNCIL MEETING HELD ON THURSDAY 25TH APRIL 2024

	Alan Moore (Chairman)	Barnett, Sean Davies, Julie James Collins, Cha e, Berthold Schoene, Martin Shackleton, Chris).	Whitehurst, Michael W	illiams
	The Clerk. Ward Cllr Rachel Williams. One member of the public attended part of the meeting.			
312.	APOLŎGI	ES		
	Cllrs Karen Meredith (personal reason), Adrian Waddelove (personal reason).			
313.	Cllr Lightni Hall Comm			
	Cllr Moore declared a non-pecuniary interest in item 320 as he is a member of the Jubilee Hall Committee.			ne Jubilee
		ns declared a non-pecuniary interest in item 32) as he is a member of	the Jubilee
		declared a non-pecuniary interest in item 320 a	as he is a member of M	lalpas
	Cllr Whiteh	urst declared the following:- a non-pecuniary ir		
		Community Links; a non-pecuniary interest in	items 329 and 338 as I	he is
		of the Recreation Ground Committee.		Clark
314.		eton declared a pecuniary interest in item 340 . L OF THE MINUTES	as ne is married to the	Clerk.
314.			4.	
		the Parish Council Meeting on 28 th March 2024		
	Resolved:- The Council approved the minutes of the Parish Council meeting held on			
				-
	28 th March	2024. The Chairman signed the minutes a	s a true and proper re	-
245	28 th March Proposed	2024. The Chairman signed the minutes as by CIIr Higgie and seconded by CIIr Lightni	s a true and proper re	-
315.	28 th March Proposed OPEN FO	2024. The Chairman signed the minutes as by CIIr Higgie and seconded by CIIr Lightni RUM	s a true and proper re ng.	ecord.
315.	28 th March Proposed OPEN FOI Cllr Whiteh	2024. The Chairman signed the minutes as by CIIr Higgie and seconded by CIIr Lightni RUM Jurst read a statement to the Council regarding	s a true and proper re ng.	ecord.
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6	23	Signs of the Times (s	igns for The Mossland)		£ 117.00
		v ,	J /	C 111	
	624 Then Media Ltd (website) S.111			5.111	
	625 Barlows (Christmas street lights)				£2,400.00
6	626 HMRC - PAYE April 2024			£ 141.99	
		Clerk's salary was pai			
			greed to the above pay		
		, , , , , , , , , , , , , , , , , , , ,	and seconded by Cllr E	Davies.	
31		ceipts Received as at 3			
	There have been no receipts received.				
31	319.3 <u>Accounts and Bank Reconciliation:-</u> The summary of Receipts and Payments was previously circulated.				
			the current bank account		1 was
		6,896.16.		t as at 51° March 202	4 Was
		funds are allocated as	follows:-		
		ish Council - £34,831.7			
		v Homes Bonus - £23,2			
		•	.evy (CIL):- £208,953.17	,	
		•	• • •		
			ds (ring fenced in accou	nis) £07.03	
		ghbourhood Plan:- £8.7			
		istmas Trees (to be rei	, , ,		
		nation:- due for CCTV -	· (£200.05)		
		PPLICATIONS			
			rant applications that ha	ve been received for t	he 2024 –
		ncial year:-		I	•
	No. Or	ganisation	Project		Amount
	I. Ma	alpas Alport Endowed	Hard canopy cover for	outdoor play	Requested £ 1,400.00
		mary School	Hard canopy cover for	outuoor play	£ 1,400.00
		alpas Backgammon	Malpas Backgammon	Training Equipment	£ 130.00
			maipae Daengammen		2 100100
3		alpas Community	D Day 80		£ 2,067.62
	Lin		,		,
4	4. Ma	alpas Community	Provision of Community	y Transport	£ 1,000.00
	Mi	nibus Association	Services		
5		alpas Opal Club	Malpas Opal Club Activ	/ity Fund	£ 200.00
		alpas Tennis Club	Resurfacing tennis cou		£14,500.00
7		lpas Young Persons	Malpas Young Persons	s Project	£ 1,500.00
		oject			0.0.700.00
8		ston Netball Club	The Home of Malpas T	NC / On Your Marks	£ 3,760.00
	· ·	alpas)	NET Go / VETs NET		0.00000
		toria Jubilee Hall	Hall modernisation		£ 2,000.00 £ 500.00
-'			All Store Luciero		
		ngate Centre	All Stars Juniors		
2.21 0	То	tal			£ 500.00 £27,057.62
	To USINES	tal S PRIORITIES AND PI	ROJECTS	nat are currently with (£27,057.62
Th	To USINES nese rem	tal S PRIORITIES AND PI nain the car park and al		nat are currently with C	£27,057.62
Th 322. PI	To USINES nese rem LANNIN	tal S PRIORITIES AND PI nain the car park and al G	ROJECTS	nat are currently with (£27,057.62
Th 322. PI	To USINES nese rem LANNIN 22.1 <u>Pla</u>	tal S PRIORITIES AND Pl nain the car park and al G nning Applications:-	ROJECTS location of S106 funds th		£27,057.62 CWaC.
Th 322. PI	To USINES nese rem LANNIN 22.1 <u>Pla</u> 322	tal S PRIORITIES AND Pl nain the car park and al G nning Applications:-	ROJECTS location of S106 funds the placement front storm p		£27,057.62 CWaC.
Th 322. PI	To USINES nese rem LANNIN 22.1 <u>Pla</u> 322 Far	tal S PRIORITIES AND Pl nain the car park and al G nning Applications:- 2.1.1 24/00721/FUL - R	ROJECTS location of S106 funds the placement front storm p		£27,057.62 CWaC.

The Council supports this application. Background Factors: Open countryside Potential benefits to the community: None identified Potential impact on neighbours: None Identified Potential impact on wider community: None identified Other relevant information: <i>The Council like CWaC, has declared a climate emergency</i> <i>and would expect all proposals for new developments, extensions, or alterations to</i> <i>recognise this, specifically by ensuring properties are at least carbon neutral, avoiding</i> <i>the use of fossil fuels and have facilities for the charging electric vehicles.</i> Resolved:- The Council agreed to the above observations. Proposed by CIIr Higgie and seconded by CIIr Barnett.
 2 To consider any applications received after the agenda has been distributed:- 24/00108/FUL - Erection of two dwellings at Land At Church Walk Church Street Malpas Observations:- The Council objects to this application. The Council would make the observations as documented below: If CWaC Planning Authority is minded to approve the application, the Parish Council would request that the following conditions be included: 1/ Another Ecological report should be undertaken as stated on page 4 of the Biodiversity Report. (Reason = Work not begun by May 2024) 2/ An Archaeology watching brief to be conditioned. 3/ Recommendations in Section 6 of biodiversity report be carried out. 4/ Replacement of any felled trees with two others of similar maturity as per Local Plan Part 2 and the Malpas and Overton Neighbourhood Plan. Background Factors: Within settlement boundary; Conservation area; Tree Preservation Orders Relevant Malpas and Overton Neighbourhood Plan Policies: H1, LC2, LC3, LC4, BE1, BE2, BE4, BE5, SF2 Relevant Local Plan Part 2 Policies: DM19, DM2, DM3, DM44, DM45, DM46 DM47 DM48 DM50 ENV5 R1 Potential benefits to the community: None identified Material considerations against development (visual, noise, pollution etc.) - Potential impact on neighbours (Increased traffic and noise). Potential impact on wider community (Increased traffic and noise). Potential impact on the setting of Listed Buildings and Scheduled Monuments in the Malpas Conservation area.) Other r
carbon capture in this area.
 There is no mention of Barn Owls in the biodiversity report which have been observed and officially reported to BTO on numerous occasions.
 The development is proposing to provide two car parking spaces per dwelling. This is contradictory to the Cheshire West Car Parking Supplementary Planning Document which quotes that dwellings of this size should have 3 parking spaces per dwelling.

- The Application Planning statement quotes that these dwellings will help Malpas achieve its 200-dwelling allocation under CWAC local plan.
 This statement is irrelevant, because Malpas has already had over 400 new dwellings granted approval in the Local Plan qualifying period (2010 2030). Approximately 370 of that 400 + total have now been completed.
- This proposed development site is surrounded by Grade 1, Grade 2 listed buildings and a scheduled accident monuments. This development if granted is therefore likely to have an adverse impact on the setting of this important buildings and structures. Given that the dwellings are proposed to be located in close proximity to site of 11th century Motte and Bailey Castle, and in the garden of the historical listed Tithe Barn, the Council would expect there to an Archaeology Assessment submitted with the application and an Archaeology watching brief conditioned if permission is granted.
- The council notes that there is no planning notice on the site.
- The Tree Survey indicates that all trees on the site are in a healthy condition. The Parish Council notes that for this development to take place up to 10 trees may have to be felled. If application is subsequently approved, then the council would like to see a condition of replacing every tree feel with two new ones of similar maturity as per policies of the Local Plan Part 2 (DM45) and the Malpas and Overton Neighbourhood Plan (LC4).
- This is just one of a number of applications submitted at the same time. (See 24/00089/FUL and 24/00109/FUL).
- The cumulative effect of approving all these developments in this area has the potential to have a major impact on traffic egressing from Church Walk on to the narrowest section of Church Street where visibility is already severely compromised.
- The developments will also have an adverse effect on the settings of the historic Buildings/monuments, quiet public footpath, and overall tranquillity of the location.
- 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.

24/01080/TPO - 2x oak (Quercus Sp) - dead-wood and crown reduce by 2-3 metres at Hillcrest Wrexham Road Malpas

Observations:-

The Council objects to this application.

If CWaC Planning Authority is minded to approve the application the Parish Council would request that the following conditions be included: That this Oak tree only has its canopy reduced by 2-3 metres as is the norm in cases regards health mature trees Background Factors: Open countryside; Tree Preservation Orders

Relevant Malpas and Overton Neighbourhood Plan Policies: LC4

Relevant Local Plan Part 2 Policies: DM44 and DM45

Potential benefits to the community: None identified

Material considerations against development (visual, noise, pollution etc.) – Potential impact on neighbours (The removal of any part of a living tree will result in a reduction of carbon capture capability) and Potential impact on wider community (Reduction in the carbon capture capability. Loss of wildlife habitat.) Other relevant information:-

- The application is to reduce the two trees by 15%.

- The Council note that this is an extremely poor application with errors and missing information as required in the Application form. Even the accompanying sketch plan is too large a scale to identify exactly which trees are to be reduced in size.

	 The trees are not diseased, in danger of breaking off or falling nor do they pose a threat to property. The proposal is to carry out works on trees that are not owned by the applicant. The
	- The proposal is to carry out works on trees that are not owned by the applicant. The
	Council would like assurance that the owner of the trees is aware of this application
	and has given their consent before work commences.
	- The reduction of any part of a living tree will result in a reduction of carbon capture and
	loss of wildlife habitat.
	- The council does not condone the removal, cutting back of any healthy living tree
	unless it poses a threat to life or essential development. These trees do not fall into
	that category and is seemingly only being done to enhance the property owner's
	views.
	- 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 the above observations.
	Proposed by Cllr Higgie and seconded by Cllr Barnett.
32	22.3 Recent decisions by CW&C:-
	The Council noted that the decision by the Planning Inspectorate in respect of the
	appeal for APP/A0665/C/23/3319954: Bottom House Farm; it has been dismissed and
	the enforcement notice is upheld with corrections and a variation in the terms set out in
	the Formal Decision.
30	22.4 Neighbourhood Plan:-
52	There is to be a meeting of the Neighbourhood Plan Steering Group at 7.00 pm on
	Wednesday 15 th May 2024. The Clerk is to book a venue and inform residents who
	have expressed an interest in getting involved.
323. M	IONTHLY SURGERY
	he Ward Cllr had circulated a report prior to the meeting regarding the following issues that
	ere raised at the surgery:-
	- Local neighbourhood plan enquiry.
	- Old Hall Street:- instalment of VAS update and concerns around closure of doctors for
	resurfacing.
	- Chester Road:- concerns with speeding on (Request made to the police to monitor site
	and contact details passed on for Slow Down for Malpas).
	- Craddock Court:- residents' concerns with service charge increase; the Ward Cllr has
	set up meeting with residents and request has been sent to Sanctuary to attend so as
	to listen to the concerns.
324. TI	HE MOSSLAND
32	24.1 <u>Site Security:-</u>
	The Allotments Association have written to advise there was recently a break in and
	items stolen from the allotment site. The incident has been reported to the police.
	The Chair of the Allotments Association, has since secured the gate as a temporary
	measure and purchased a new lock.
32	24.2 Purchase of Gate:-
	The Chair of the Allotments Association has offered to install a locked gate at the
	entrance to the allotment plots at an approximate cost of £130.00 for materials (there
	would be no charge for the labour).
	Resolved:- The Council agreed to instruct the Chair of the Allotments
	Association to purchase the parts so the gate can be installed.
	Proposed by Cllr Shackleton and seconded by Cllr James Collins.
	LOW DOWN FOR MALPAS
CI	IIr Schoene provided the following update:-
	LOW DOWN FOR MALPAS

	- CWaC have yet to send the results of the recent speed monitoring exercise that took		
	place on Wrexham Road;		
	 Contact has been made with Threapwood Parish Council regarding the current 		
	Highways initiatives;		
	- Cllr Moore is to act as joint lead on the project.		
326.	CYCLE RACKS		
007	There was no consideration of this item.		
327.			
	327.1 Street Furniture:-		
	No updates.		
	327.2 Planters:-		
	Cllr James Collins updated the meeting regarding the planters; it was suggested that		
	the donation of two wooden planters could be put outside the Jubilee Hall.		
	The Council is to place an order with Walkers Nurseries for the seven planters to be		
	refilled.		
	327.3 Bench outside Jubilee Hall:-		
	The Council considered what action to take regarding the damaged bench that is		
	located outside the Jubilee Hall. There is s106 funding which could be used to		
	enhance the area as it is located next to the bus stop.		
	Cllr James Collins offered to provide a quote for a replacement bench.		
	The Council are to consider whether it would be possible to repair and relocate the		
	current bench.		
	Cllr Higgie is to make enquiries regarding the plaque that is on the current bench.		
328.	THE CROSS		
	Update:- An email has been sent to T Livingstone Stonemasons to instruct them to carry out		
	the works to the Cross. A request was made for RAMS and Liability insurance.		
	(i) The Liability insurance has been provided; the RAMS are to follow.		
	(ii) The Clerk has sent an email sent to Historic England to advise which contractor the		
	Council has decided to instruct to carry out the work.		
	Historic England have since replied:-		
	"We've received a decision from the DCMS regarding the above application for SMC.		
	Before I can release the consent, I need you to read through the conditions and		
	acknowledge by reply email that you/your client are content with them, and		
	consequently will not be seeking a Public Hearing on the matter. The conditions are:		
	(i) The works to which this consent relates shall be carried out to the satisfaction of the		
	Secretary of State, who will be advised by Historic England. At least 2 weeks' notice (or		
	such shorter period as may be mutually agreed) in writing of the commencement of		
	work shall be given to Mr A P Davison, Historic England North West in order that an		
	Historic England representative can inspect and advise on the works and their effect in		
	compliance with this consent.		
	(ii) All pointing and mortar work shall be in a mixture and finish to match the existing in		
	colour, texture and style, (iii) Photographs shall be prepared of the monument before the start and after		
	completion of the works and a set of the pictures shall be sent to Historic England within 3 months of the completion of the works (or such other period as may be		
	mutually agreed).		
	Once I have your agreement I'll proceed to issue the formal consent"		
	(iii) The above has been sent T Livingstone Stonemasons who have responded to confirm		
	that they are happy with the proposed conditions.		
	(iv) Emails sent to other companies to thank them for the quotes.		
	Cllr Whitehurst requested the Council's permission to decorate The Cross with poppies for D		
	Day commemorations.		
	bay commemorations.		

0.00	DEADE			
329.	RECREATION GROUND PLAY AREA			
	Cllr James Collins circulated a report regarding health and safety concerns in the play area at			
	the Recreation Ground as it appears that no action has been taken to carry out the			
	recommended repairs as stated in the ROSPA inspection that was carried out last			
	November.			
	The Council agreed to the following:-			
		0	ort regarding health and safety concerns in the play area to	
			eation Ground Committee;	
	- To request a response within 14 days;			
	- To register serious safety concerns regarding the barbed wire in the hedge that is			
	located next to the zip wire;			
	- To enquire as to why no action has been taken since ROSPA carried out the			
		spection of the play area		
			past three months weekly inspection reports;	
	- T	o enquire when the next	inspection is due to take place;	
	- T	o enquire what the insur	ance implications are in the event should an accident occur	
	01	n deteriorating equipmer	nt that has been rated as medium and as low risk in the	
		OSPA report.		
330.		S COMMITTEE		
			ORs as previously agreed by the Council.	
331.		<u> </u>		
331.		S JOINT BURIAL COM		
			al meeting with Jackie Weaver, CHALC to gain an	
			nancial matters including the relationship between MJBC and	
	the Cour	ncil (including neighbour	ing parish councils and parish meetings).	
	MJBC ha	ave sent a copy of the di	raft constitution which is to be considered by the Council at	
	the May	meeting. The Clerk has	s sent a copy to CHALC for checking.	
332.	WEBSIT			
	_	-	eaks made to the website. Work is in progress to prepare	
			unch of the new Parish Council website.	
333.		D HALL STREET		
000.			tion of VAS to be installed on Old Hall Street and agreed with	
			6	
334.		estion made by Highwa <u>y</u> S REPORT		
334.			llu dete	
	No.	Item	Update	
	334.1	The Mossland –	Ongoing enquiries regarding the options and implications	
		Legal	as to whether The Mossland is to remain registered or to	
			deregister with the Charity Commission.	
	334.2	Old Hall Street Bus	CWaC has requested copy of licence that was returned to	
		Shelter	them some time ago; this this has been actioned.	
	334.3	Website	Policies updated.	
	334.4	The Mossland-	This has now been installed at The Mossland.	
		Lifebuoy		
	334.5	The Mossland-	The signs have been collected and put up at The	
	004.0		Mossland.	
		Signage		
	334.6	The Mossland:	Ongoing enquiries to obtain hawthorn hedging.	
		Hedging at entrance		
	334.7	Wheelie Bin Stickers	Email sent to CWaC to request permission for the	
			Wheelie bin stickers permission.	
	334.8	Surgery	Rota circulated.	
	334.9	Burst Water Pipe,	There is a burst water pipe opposite the allotment site	
		The Mossland	which has affected the ground at the site. This has been	
			reported to the water company who have since carried	
			out repairs.	

	334.10	VAT	Query whether the PC can reclaim the VAT that was in
			respect of the grant awarded to MJBC.
	334.11	S106 funding	Enquiry made with CWaC as to whether any s106 funding
			could be used towards improving tennis courts. They
			have advised no as it does not recognised in the CWaC
			Playing Pitch Strategy.
335.	EXTERNAL CORRESPONDENCE INCLUDING SUGGESTION BOX		
	List previ	ously circulated to Cllrs	
	It was su	ggested that the sugges	stion box be relocated next to the Council noticeboard.
336.	UPDATES FROM OUTSIDE ORGANISATION REPRESENTATIVES		
	336.1 CC	CA:- CIIr Whitehurst advi	sed that CCA have been in contact with the Council
	regarding the Housing Strategy.		
337.	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 Higgie and seconded by Cllr Lightning.		
The meeting closed at 8.50 p.m.			

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