

# KINGSLEY PARISH COUNCIL

## MINUTES OF THE MEETING OF KINGSLEY PARISH COUNCIL HELD IN THE KINGSLEY COMMUNITY CENTRE ON TUESDAY

19 September 2017 at 7.00pm

**Present:** Councillor J. Cliff (Vice Chairman)  
Councillor D. Crossley (Chairman)  
Councillor D. Fletcher  
Councillor C. Jones  
Councillor D. Moores  
Councillor R. Wilson

**In attendance:** Mrs J. Preston (Clerk)

### MEETING No 4

REF.	DISCUSSION	ACTION
	<p><b>Opportunity for Public to Raise Issues</b></p> <ul style="list-style-type: none"><li><b>Nicki Rose, Lead Training Services Standard Practitioner from Cheshire West and Cheshire Council, updated the Kingsley Parish Council with regard to the playing field by-laws.</b> The paperwork produced by Vale Royal with regard to the by-laws had been lost during the transition to Cheshire West and Chester. Although the fact that there were by-laws introduced is recorded, until recently neither Cheshire West and Chester Council nor Kingsley Parish Council were aware of any such by-laws.</li></ul> <p>Cheshire West and Chester Council now have to replace the by-laws with Public Space Protection Orders (PSPOs). Nicki Rose will be organising a consultation regarding PSPOs beginning in March 2018 to be concluded by November <b>2018</b>. Meanwhile Kingsley Parish Council will be producing a survey within Kingsley in order to obtain the views of the parishioners which will be forwarded to Nicki Rose to assist in the consultation process.</p> <p>Niki Rose confirmed that the Vale Royal by-laws referred to:</p> <p>Dog Fouling Dogs on Leads Dogs excluded from children's play area.</p> <p>Regarding Dog Fouling; the Clerk will obtain signs in order to place</p>	

	<p>them around the playing field to remind dog owners of the need to clear up dog waste and remove it from the field or place in a bin, after their dogs.</p> <p>Dogs are to be excluded at all times from the fenced children’s play area and signs are in place informing dog owners of this fact. Dogs are not excluded from areas containing play equipment that is not fenced.</p> <p>Dogs on Leads. This byelaw cannot currently be enforced at the moment but maybe if included in a PSPO.</p> <p>The above rules do not apply to assistance dogs.</p> <p>Regarding the above byelaws; only trained Community Officers and Police can enforce these regulations. Authorised persons have to attend training courses in order to understand the law and regulations before they can enforce them, no citizen or Parish Councillor can enforce the byelaws.</p> <p>Regarding responsibility for the behaviour of dogs in the playing field; Kingsley Parish Council have no responsibility at all. All dog owners have a legal responsibility under the law to keep their dogs under control at all times.</p> <p>Professional dog walkers: There are no current restrictions on the number of dogs that dog walkers can exercise and there are no particular regulations controlling dog walkers. The law with regards to having dogs under control at all times does still apply to all professional and non-professional dog walkers.</p> <p>If PSPOs are enforced after Cheshire West and Chester Council’s consultation in 2018; then signs will be placed around the playing field clearly showing the regulations and who can enforce them.</p> <ul style="list-style-type: none"> <li>• <b>Stephen Bennett and Andrew Jones of Chartland &amp; Co wished to introduce themselves and inform the Council of their proposal for developing Westbrook Farm in Hollow Lane.</b> The proposal is to convert the existing farmhouse and out buildings into 6 properties consisting of 2 x 2 bedroomed properties and 4 x 3 bedroomed properties as well as garages. As the development is a conversion rather than a new build there is no requirement for affordable housing. All the development will be within the boundary of the farmhouse itself and will keep the agricultural look of the properties. The scheme is being finalised at present prior to a formal planning application being submitted to CWAC. Subject to successful planning application, building is expected to commence sometime in Spring 2018 and be completed within 18 months.</li> </ul>	<p><b>JP</b></p>
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	<p>A brief outline was given regarding the future possible development of the surrounding land at Westbrook as follows:-</p> <p><b>Orchard</b> Possible reinstatement of the orchard adjacent to Hollow Lane and possible option to be offered back to the community, as public open space and or education facility – (<i>Village Plan note: Orchards should be afforded protection to ensure the character of the village</i>)</p> <p><b>Retail Provision</b> Possibility to provide a purpose built retail opportunity with off street parking 30 + spaces – (<i>80% of residents use the Co op and post office on a weekly basis &amp; 59% of residents expressed concern about parking around the existing shops</i>)</p> <p><b>Parking &amp; School Drop-off</b> Provision of off street parking to Hollow Lane 30 + spaces and opportunity to provide drop-off facility for the school – (<i>A street scene of Hollow Lane shows significant traffic issues involved with parking and traffic flow</i>)</p> <p><b>Traffic – Through Flow and Speed</b> Possible provision of a roundabout on Hollow Lane and other measures to provide traffic calming and a pedestrian crossing – (<i>74% of residents are concerned about speed of traffic through the village</i>)</p> <p><b>Footpaths &amp; Pavements</b> Provision of footpath to Mill Lane at Scotland Lane – (<i>Mill Lane and the lack of a pedestrian footpath is highlighted as a major danger spot</i>)</p> <p><b>Housing</b> Possible conversion of redundant farm buildings to residential - (<i>55% of residents support conversion of existing buildings</i>) Provision of open market and local need housing – (<i>46% of residents support development of housing to be affordable and available to local people</i>) - <b>As outlined above</b></p> <p><b>General</b> A sympathetic increase in open market and affordable housing within the village will help to sustain community numbers. In turn, the increase in the population size of the community would help to sustain both local business and schools. (<i>Commercial facilities should be supported, loss would have a major impact on life in the community</i>)</p>	
17/128	<p><b>Apologies</b> Councillor S Billows Councillor G Warburton</p>	

17/129	<p><b>Minutes of the Meeting held on 18<sup>th</sup> July 2017</b> The Minutes of the Meeting held on the 18<sup>th</sup> July were approved and signed by the Chairman as a true and correct record.</p>	
17/130	<p><b>Declaration of Interests</b> Register of interests: Councillors are reminded of the need to update their register of interests and the need to disclose both the type of interest and its nature.</p>	
17/131	<p><b>Chairman's Announcement</b> Councillor Crossley hoped everyone had enjoyed the August break. The Neighbourhood Plan is to be explored further and several important planning applications are in the pipeline. With regard to the three vacancies on the Council five applications had been received.</p>	
17/0132	<p><b>Planning Issues</b></p> <p>a)<b>Council to NOTE the Planning decisions made by the Cheshire West &amp; Chester Council</b></p> <p><b>Church Cottage Pile Lane Kingsley 17/02336/FUL</b> New two storey dwelling <b>APPROVAL</b></p> <p><b>Wigans Lake Farm Norley Road Kingsley 17/02474/FUL</b> Rear Orangery <b>APPROVAL</b></p> <p><b>The Old Orchard The Hurst Kingsley</b> Single storey extension <b>APPROVAL</b></p> <p><b>Off Higher Heyes Road 1702356/FUL</b> Owing to certain outstanding matters the application was pulled from the September Planning Committee, it is hoped it will be included in October meeting but not confirmed at the time the Agenda is issued.</p> <p>b)<b>To Consider applications received and reviewed by the Planning Working Group:</b></p> <p><b>Fir Tree House 17/02103/FUL</b> Minor alteration to application 14/03209/FUL No further comments to add to those already submitted on 8 June 2017 in respect of planning app 17/02103/FUL</p> <p><b>The Horseshoe Inn Hollow Lane Kingsley 17/03217/FUL</b> Change of use from Public House to Convenience Store No objection</p> <p><b>Willow Bank 12-14 Hunters Hill Kingsley</b> Erection of new 3 bedroom detached house. Objection</p> <p><b>Pike House Pike Lane Kingsley 17/03358/FUL</b> Demolition of outbuildings and construction of 4 dwellings No objection</p>	

	<p><b>17 Top Road Kingsley 17/03292/FUL</b> Single storey rear extension. No objection</p> <p><b>Higher Heyes Drive 17/02356/FUL</b> Planning application deferred to October 2017 Objection</p> <p><b>Valdain The Hurst Kingsley 17/03769/TPO</b> Fell 1 Hazel Pear tree No Objection</p> <p><b>Rear of the Firs Newton Hollows 17/01439/FUL Amendment</b> Demolition of existing building and erection of 5 dwellings Objection</p>																																																																				
17/133	<p><b>Finance</b></p> <p><b>(a) To agree the following payments and sign cheques</b></p> <table border="0"> <tr><td>Groundworks Final Payment P Field</td><td>£1553.58</td><td>2952</td></tr> <tr><td>Mid Cheshire Grass Cutting P Field and Paths</td><td>£ 489.60</td><td>2953</td></tr> <tr><td>BT Office Telephone</td><td>£ 28.60</td><td>D/D</td></tr> <tr><td>BDO LLP External Auditor</td><td>£ 360.00</td><td>2954</td></tr> <tr><td>Suez Cemetery Bins</td><td>£ 41.94</td><td>D/D</td></tr> <tr><td>A Walker Final Salary</td><td>£ 379.92</td><td>2955</td></tr> <tr><td>J Preston Sept Salary</td><td>£ 325.59</td><td>2956</td></tr> <tr><td>A Walker Post and Fixing P Field</td><td>£ 14.64</td><td>2957</td></tr> <tr><td>J Preston Home Working Allowance (2017-2018)</td><td>£ 350.00</td><td>2958</td></tr> <tr><td>HMRC Sept Tax</td><td>£ 176.40</td><td>2959</td></tr> <tr><td>Tims Landscapes Cremation Plots</td><td>£2290.00</td><td>2960</td></tr> <tr><td>Sunrise Gardens</td><td>£ 230.00</td><td>2961</td></tr> <tr><td>Proludic Springer Dog Repair</td><td>£306.12</td><td>2961</td></tr> </table> <p><b>(b) Invoices paid prior to the meeting (August payments) :</b></p> <table border="0"> <tr><td>Scottish Power Cemetery elec</td><td>33.86</td><td>2944</td></tr> <tr><td>SUEZ cemetery refuse</td><td>41.94</td><td>2945</td></tr> <tr><td>CHALC NP Booklet postage</td><td>4.75</td><td>2946</td></tr> <tr><td>J Preston Aug Salary</td><td>325.59</td><td>2947</td></tr> <tr><td>A Walker Aug Salary</td><td>196.96</td><td>2948</td></tr> <tr><td>HMRC</td><td>130.60</td><td>2949</td></tr> <tr><td>Mid Cheshire Grass &amp; rights of way</td><td>489.60</td><td>2950</td></tr> <tr><td>Sunrise Gardens July cuts x 2</td><td>230.00</td><td>2951</td></tr> </table> <p><b>(c) To note payments received</b></p> <table border="0"> <tr><td>J C Clarke FD Patricia Spruce Burial</td><td>£264.00</td></tr> <tr><td>VAT Repayment</td><td>£1024.26</td></tr> </table> <p><b>(d) To receive Quarterly Statement to 31<sup>st</sup> August and Bank Reconciliation</b> Council Received the Quarterly Statement and Bank Reconciliation to 31st August 2017 (circulated)</p>	Groundworks Final Payment P Field	£1553.58	2952	Mid Cheshire Grass Cutting P Field and Paths	£ 489.60	2953	BT Office Telephone	£ 28.60	D/D	BDO LLP External Auditor	£ 360.00	2954	Suez Cemetery Bins	£ 41.94	D/D	A Walker Final Salary	£ 379.92	2955	J Preston Sept Salary	£ 325.59	2956	A Walker Post and Fixing P Field	£ 14.64	2957	J Preston Home Working Allowance (2017-2018)	£ 350.00	2958	HMRC Sept Tax	£ 176.40	2959	Tims Landscapes Cremation Plots	£2290.00	2960	Sunrise Gardens	£ 230.00	2961	Proludic Springer Dog Repair	£306.12	2961	Scottish Power Cemetery elec	33.86	2944	SUEZ cemetery refuse	41.94	2945	CHALC NP Booklet postage	4.75	2946	J Preston Aug Salary	325.59	2947	A Walker Aug Salary	196.96	2948	HMRC	130.60	2949	Mid Cheshire Grass & rights of way	489.60	2950	Sunrise Gardens July cuts x 2	230.00	2951	J C Clarke FD Patricia Spruce Burial	£264.00	VAT Repayment	£1024.26	
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	<p><b>(e) To authorise</b> an increase in the Clerks hours of work from 8 hours to 9 hours following the Clerk's Annual appraisal undertaken by Councillor Crossley as Chair, in accordance with Clerks terms of contract.</p> <p><b>(f) To authorise</b> the Clerk's move from Spinal Column Point 18 to Point 19 following the successful completion of the CILCA training.</p> <p><b>(g) To record the External Auditors Report for the last Financial year</b> On the basis of our review, in our opinion the information in the annual return is in accordance with proper practices and no matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met.</p> <p><b>RESOLVED THAT</b> the Clerk increases her hours per week from 8hrs to 9hrs.</p> <p>Proposed Councillor Jones Seconded Councillor Wilson Unanimously agreed</p> <p><b>RESOLVED THAT</b> the Clerk moves from Spinal Column Point 18 to 19 following the successful completion of her CLCA training.</p> <p>Proposed Councillor Crossley Seconded Councillor Moores Unanimously agreed</p>	
17/134	<p><b>Borough Councillor Remarks</b> Councillor Oultram informed Council that responses regarding the Electoral Review on proposed new electoral arrangements need to be sent to The Local Government Boundary Commission by 6 November 2017. Councillors have received information previously as to how to make their responses but can find the information at <a href="http://www.lgbce.org.uk">www.lgbce.org.uk</a>. Please inform Councillor Crossley of any comments so a joint response can be made from Kingsley Parish Council.</p> <p>Councillor Oultram believes that a decision will be made regarding Higher Heyes planning application at the October Planning Committee Meeting which would be on 10<sup>th</sup> October 2017, though not yet confirmed. A representative can attend from Kingsley Parish Council and also a member of the public both of whom can speak for 2/3 minutes. To register to speak please contact Cheshire West and Chester by Monday 2nd October.</p>	ALL
17/135	<p><b>Playing Field Report</b></p> <ul style="list-style-type: none"> <li>• <b>Councillor Fletcher</b> reported that the replacement Springer Dog for the children's play area has been received. This will be fitted back in place by Councillor Fletcher.</li> </ul> <p>The unsafe wooden platform and chains on the climbing frame have</p>	

	<p>been taken down until it is replaced. The cost of a new platform will be in the region of £162 and its purchase was agreed by Council. Councillor Jones will order the replacement Councillor Fletcher is checking on the repaired lights to ensure they come on after dark. If they are not working Councillor Fletcher will contact the company concerned in order to investigate the problem.</p> <ul style="list-style-type: none"> <li>• <b>Councillor Jones</b> reported on the successful bids for grant applications for further play equipment within the playing field.</li> </ul> <p>Funding sought from Veolia Environmental Trust for a contribution of £13,324 was received in full.</p> <p>Tesco Bags of Help Grant Scheme have also granted the project funding. Council's project along with two other projects will be decided by Tesco customers voting for their favourite scheme. The amount received will be either £4000, £2000 or £1000 depending on votes received.</p> <p>Councillor Jones will report back to the December Council meeting once the Tesco Bags for Help results are known.</p> <p>Councillor Jones was thanked for her hard work in obtaining this funding.</p> <ul style="list-style-type: none"> <li>• <b>The Clerk had</b> received a letter from Mrs Jones regarding a tree which fell on to her adjoining property. The insurance matters have been concluded but she asked that Council pay the excess premium of £100. A discussion took place in which some councillors felt that it would be a good will gesture to pay the money with others feeling that it would set a precedent for any future claims against the Council. Finally the request for payment of £100 was voted upon with 3 votes in favour and 4 against. Mrs Jones also said that she felt that other trees were unsafe and that she did not agree with the Arboricultural Report submitted to KPC by Cheshire West and Chester in 2016. Councillor Fletcher will look at the Report to see whether trees 34/35 were 8m high or closer to 16m as believed by Mrs Jones. Councillor Fletcher would investigate any discrepancies with the producers of the Report and report back to the Council at the October meeting.</li> </ul> <p>The Clerk will write to Mrs Jones informing her of Council's decision with regard to the £100 insurance excess payment.</p> <p>RESOLVED THAT Council would not pay the excess of £100.</p> <ul style="list-style-type: none"> <li>• <b>Mr Emes emailed the Clerk</b> with regard to any progress being made with regard to management of dogs in Kingsley Playing Field. Following on from the comments from Nicki Rose the Clerk will reply to Mr Emes as follows:</li> <li>• Dog owners being reminded about their responsibilities</li> </ul> <p>KPC response: KPC placed articles in two Village newsletters reminding the</p>	<p><b>CJ</b></p> <p><b>DF</b></p> <p><b>CJ</b></p> <p><b>DF</b></p> <p><b>JP</b></p>
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	<p>dog owners of their need to be responsible for their dogs. This was also highlighted in Council minutes which are a matter of public record.</p> <ul style="list-style-type: none"> <li>• Regarding children being given priority on the field. KPC response: KPC owns and manages the playing fields on behalf of all the residents of Kingsley. The playing fields are visited, used and valued by all different sections of the community and we manage and maintain the playing field for all age groups.</li> <li>• Request for improved signage KPC response: Until the forthcoming consultation has taken place regarding the introduction of the PSPOs, we cannot place any new signs at the entrances as we do not know what the responsibilities will be.</li> <li>• Regarding residents believing that the Parish Council have a legal responsibility for the safety of children in the field with respect to loose dogs running on the field. KPC response: KPC was able to seek clarification on this fundamental point from Nicki Rose. She clearly stated that the Parish Council DO NOT have a legal responsibility with regard to stray or loose dogs within the field. As everywhere else, dog owners have a legal responsibility responsible for controlling and managing their own dogs, wherever they are, and if an unfortunate incident did occur then, that would be a legal matter between the dog owner and anyone holding them responsible for the incident.</li> <li>• Regarding dog fouling. KPC response: The Parish Council has agreed to purchase further signs to place around the playing field to remind dog owners of their responsibility in clearing up after their dogs.</li> <li>• Children’s Play Area. KPC response: We have now placed appropriate signage on the fencing around the play area reminding dog owners to keep their dogs out of the fenced area. Nicki Rose informed Council that where play equipment is not fenced in, then dogs are not banned around that play equipment.</li> </ul>	<b>JP</b>
17/136	<p><b>Cemetery Report</b> In the absence of Councillor Warburton the Clerk read his report.</p> <p><b>NEW CREMATION PLOTS PROJECT:</b> Work complete. I have recommended payment to contractor.</p> <p><b>RESOLVED THAT</b> payment be made in the sum of £2290.00.</p> <p><b>WAR MEMORIAL LANDSCAPING:</b> Plans ready for approval by Council</p> <p><b>CEMETERY RAILINGS REPAIR (ALONG THE SOUTHERN BOUNDARY):</b> I would like to defer until October meeting</p>	



	<p><b>HANDRAIL REPAIR – AT CEMETERY ENTRANCE:</b> I would like to defer until October meeting</p> <p><b>MEMORIAL SEAT:</b> Mrs Marie Webb has asked to install a seat of remembrance near her husband’s grave in the extension. She has provided me with suitable photographs which I consider being suitable, and is happy for her son in law, a joiner to install on flags and fix down at her expense. I will meet her at the cemetery to agree the position. Approval of committee required.</p> <p><b>RESOLVED THAT</b> Mrs Webb may place a seat of remembrance in the Extension in remembrance of her husband. Councillor Warburton will meet with Mrs Webb to agree the position of the seat.</p> <p><b>AUSTIN WALKER’S RESIGNATION:</b> Austin has resigned from the post as Cemetery Assistant leaving on Fri 29 September 2017. He has moved to Winsford and said he was finding it too much. He has worked in this post for 18 years. Can Council note my sincere thanks to Austin for his help and assistance over the years. I propose a letter of thanks to be sent from the Council.</p> <p><b>RESOLVED THAT</b> a letter of thanks be sent to Mr Walker with regard to his work as General Assistant to Kingsley Parish Council. It was also agreed that an article be placed in the Kingsley Newsletter thanking Mr Austin for his work during the last 18 years.</p> <p>Views were expressed by Councillors that in future the duties could be carried out by contractors rather than employing an individual. The Personnel Committee will produce a report regarding the best way forward and bring its result to the October council meeting.</p> <ul style="list-style-type: none"> <li>• <b>The Clerk produced a report on digitalising the records on Kingsley Parish Cemetery</b> which are only in paper form at the moment and surveying and mapping the Kingsley Parish Cemetery. The Cemetery would be surveyed in order to map accurately all the current burial plots. This information would then be produced on a software map with a numbering system and inscriptions clearly shown. After discussing 3 proposals (Pear Technology, Cemetery Development Services and Atlantic Geomatics) it was decided to ask Atlantic Geomatics to attend the October meeting of the Council to explain in more detail how they would undertake mapping the Cemetery.</li> </ul> <p><b>RESOLVED THAT</b> Atlantic Geomatics be asked to attend the October Meeting of the Council.</p> <ul style="list-style-type: none"> <li>• <b>Councillor Moores produced a report on the proposed landscape enhancement of the War Memorial in the Cemetery.</b> A landscaping scheme has already been approved by Council which would cost £3500 and it was agreed that Council should try to obtain</li> </ul>	<p><b>GW</b></p> <p><b>JP</b></p> <p><b>DC/CJ/ SB/RW</b></p> <p><b>JP</b></p>
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	<p>funding for the project in order for the work to be completed by November 2018, the 100<sup>th</sup> anniversary of WW1. Councillor Moores reported that in order to obtain funding from the Heritage Lottery Fund (HLF) the scheme would probably have to include education and community items within the package. An expression of interest has therefore been submitted to HLF so that Council can understand whether such a package may be considered for funding. If the expression of interest is successful a full application for HLF funding would need to be submitted in due course and a report would be submitted to Kingsley Parish Council for approval. Councillor Moores requested help from either Councillors or members of the public to assist with the project.</p> <p>RESOLVED THAT the expression of interest should be progressed. Councillor Moores will arrange a meeting between now and the October council meeting with those showing an interest.</p>	<b>DM/ALL</b>
17/137	<p><b>Town Farm Quarry</b> Dr Pownall reported on the latest meeting with the CWAC Mineral Planning Officer where the representatives of the three Councils affected by the activities of the quarry (Kingsley, Crowton and Acton Bridge) were updated on recent discussions with the quarry operators. There is still a need to obtain agreement on site surveys before the matter is put to the Planning Committee in either October or November.</p> <p><b>Traffic/Transport Report</b> Mr Vickers emailed the Clerk to say nothing new to report. He has emailed Highways with anomalies on the proposed 20mph limit on certain roads in Kingsley but has not received a response.</p> <p>The 20mph speed limit proposal in Kingsley was discussed. There was confusion regarding what criteria was actually used when deciding on which roads should be changed to 20mph. Councillor Moores will produce, on behalf of the Council, a response to Cheshire West and Chester asking for clarification on how decisions are being made with regard to the proposed 20mph speed limit.</p>	<b>DM</b>
17/138	<p><b>Neighbourhood Plan</b> Councillor Moores gave a brief update on work carried out so far on producing a Neighbourhood Plan (NP). Councillor Moores wrote a short article in the Kingsley Newsletter informing local residents about Neighbourhood Plans and requesting volunteers to inform the Clerk of their interest in assisting with a NP. As a consequence two members of the public have shown interest.</p> <p>The Working Group and the two new people showing interest will hold an informal meeting in order to organise a public meeting in November this year. Depending on the support shown at the public meeting it will be decided whether to begin the official process by registering their intention to produce a NP and inviting speakers and local organisations who have already gone</p>	<b>DM/DC/ CJ</b>

	through the process to assist.	
17/139	<p><b>Councillor Vacancies</b>  Five applications have been received for the three councillor vacancies at present on the Kingsley Parish Council. All the applicants will be invited to attend interviews prior to the October Council meeting. A decision on the successful three applicants will be made on the night and all three will be invited to attend the October meeting</p>	<b>DC/JF/ SB/CJ</b>
17/140	<p><b>Correspondence Received</b>  AON Insurance have decided to cease their involvement in the Local Councils market so as from the renewal date in 2018 they will no longer provide insurance cover. BHIB insurance brokers will automatically handle all insurance matters from the renewal date. BHIB are recommended by NALC who have provided a tailor made support package to local councils.</p>	
	<b>Meeting closed at 9.20pm</b>	

Signed:.....

Dated:.....