

KINGSLEY PARISH COUNCIL

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

16th January 2018 AT 7.30PM

Present: Councillor S. Billows
Councillor J. Cliff (Vice Chair)
Councillor D. Crossley (Chairman)
Councillor J Dean
Councillor A Dedman
Councillor D Fletcher
Councillor D. Moores
Councillor D Molyneux
Councillor Warburton
Councillor Wilson

MEETING No 8

REF.	DISCUSSION	ACTION
	<p>Opportunity for Public to Raise Issues</p> <p>PCSO Neil Flanagan presented his report. On the 6th January there was a case of youths throwing eggs at properties in Kingsley, it appears to have been a one-off event but the police will monitor the situation. The police are also checking up on the playing field at regular times but are pleased to report no problems. As Neil and Jon are now based in Frodsham Police Station it is giving them more time to patrol the various outlying parishes as well as Frodsham and Helsby. The police hope to obtain an enforceable speed gun within Kingsley Parish in the future, as the present one is unenforceable. The police continue to hold their monthly surgeries at Gibsons Café. There is a bike marking event being held on the 29th January in Helsby. PCSO Neil is organising a Football Tournament for local schools at Frodsham Leisure Centre on the 19th April.</p> <p>The Chairman thanked Neil for his update and continued work on behalf of Kingsley.</p> <p>Mr Chris Burrows asked Council whether there had been any progress with regard to obtaining legal advice on the Higher Heyes housing development.</p> <p>Cllr Sue Billows who is to lead the Working Group replied that pre-appointment advice had been received from Michael Pocock of Pinsent Masons Solicitors. Cllr Billows had tried to contact Planning Aid but received no response from her emails. An extract taken from the Solicitors and Expert Planners, Andrew Thompson, states “that it is simply not possible to reconcile the various policies with the approach which the Council’s Planning Officer has taken in recommending approval and the decision of the</p>	

	<p>Committee members which relied on the report. In particular it was noted that the Committee Report states that the development ‘is considered to confirm to the provision of the relevant development plan policies and the framework’. However, the Housing Needs Survey which supports the application has not been undertaken in accordance with either the adopted Local Plan nor the emerging Local Plan. Given that the HNS is fundamental in order to overcome the fact that the development lies within the greenbelt and trigger the Rural Exceptions policy there are serious questions regarding the Council’s approach to dealing with the application.”</p> <p>Cllr Billows said that a cost of £3,000 would cover the initial work undertaken by the solicitors. Simon Sherlock on behalf of the Kingsley Green Belt Action Group (formerly the Higher Heyes Action Group) is organising a crowd funding account and it is hoped that the £3000 will be paid for by a combination of crowd funding and pledges being organised by Councillor Dean. Once the initial advice has been received by the Working Group the merits of continuing with the legal investigation will be decided.</p> <p>Cllr David Crossley reported that Nial Casselden (CWAC Planning Team Manager) had written to say that although the approval has been passed by Planning Committee, officers are still negotiating with the applicant with regard to the completion of a Legal Agreement, The final planning permission won’t be issued until after the Legal Agreement has been completed. As such, the application is still shown as live and the permission has yet to be issued, although this will take place once due legal process has concluded. Mr Casselden finished by saying that the decision taken was consistent with other similar applications and was in line with all relevant national and local planning policy. Mr Casselden would be happy to meet with the Parish Council if necessary.</p> <p>Cllr Billows finished by saying that even if the Higher Heyes development did eventually go ahead any advice received from the Solicitors would be useful for future developments within Kingsley.</p> <p>The Working Group will now produce Terms of References to be produced at the February Council Meeting. Also a Policy Report will be circulated for approval at the February Council Meeting, detailing how the Parish Council will accept and manage any money received. The Working Group also wish to discuss a mechanism whereby they can deal with urgent actions required by the Solicitors without recourse to the next Council meeting.</p> <p>Simon Sherlock and David Crossley thanked Sue Billows for all her hard work with regard to the Higher Heyes development. In turn Sue thanked Simon Sherlock in setting up the crowd funding account.</p>	SB
18/001	<p>Apologies</p> <p>Councillor C Jones</p>	

18/002	<p>Minutes of the Meeting held on 19th December 2017 The minutes of the meeting held on 19th December were approved and signed by the Chairman as a true and correct record.</p>																	
18/003	<p>Declaration of Interests 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. Councillor Cliff disclosed an interest in planning application on 52 Top Road Kingsley Councillor Molyneux disclosed an interest in planning application on Land at Brow Dene.</p>																	
18/004	<p>Planning Issues</p> <p>a) Council to NOTE the Planning decisions made by Cheshire West & Chester Council</p> <p>6 Highbank Rd Kingsley 17/04430/FUL APPROVAL Ground floor rear extension & first floor side extension</p> <p>Brookside Farm Chapel Lane Kingsley 17/04490/FUL REFUSAL New portal framed agricultural contracting building</p> <p>Rear of Firs Newton Hollows Rd Kingsley 17/01439/FUL REFUSAL Demolition of existing buildings & erection of 5 dwellings & 1 garage</p> <p>b) To Consider applications received and reviewed by the Planning Working Group:</p> <p>Land Adjacent to Brow Dene Town Well Kingsley 17/05267/REM Approval of reserved matters following outline permission 14/03646/OUT for one detached building. The Planning Working Group will look further at the reserved matters.</p> <p>3 Orchard Gate Kingsley 17/05453/FUL 2 storey side extension and partial conversion of garage. NO OBJECTION</p> <p>52 Top Road Kingsley 17/05469/FUL Demolition of existing dwelling & erection of two dwellings OBJECT</p> <p>Land at Beech Lane Kingsley 17/05482/FUL SCREENING REQD Build 3 stables and a tack room</p>																	
18/005	<p>Finance</p> <p>To agree the following payments and sign cheques</p> <table data-bbox="518 1921 1262 2063"> <tr> <td>BT</td> <td>Office Tel</td> <td>£ 29.26</td> <td>D/D</td> </tr> <tr> <td>Woodhouse</td> <td>P Field Lights</td> <td>£119.11</td> <td>2985</td> </tr> <tr> <td>D Crossley</td> <td>Cemetery Markers</td> <td>£ 21.98</td> <td>2986</td> </tr> <tr> <td>J Preston</td> <td>Salary Jan</td> <td>£303.98</td> <td>2987</td> </tr> </table>	BT	Office Tel	£ 29.26	D/D	Woodhouse	P Field Lights	£119.11	2985	D Crossley	Cemetery Markers	£ 21.98	2986	J Preston	Salary Jan	£303.98	2987	
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18/006	<p>Borough Councillor Remarks Councillor Oultram confirmed that he would liaise with Councillor Jones regarding KPC applying for funding from the Members Budgets Award Scheme. The request for funding would be for a sum towards the landscaping around the Kingsley War Memorial and Digitally Mapping Kingsley</p>	RO/CJ												

	Cemetery.	
18/007	<p>Playing Field Report</p> <p>Councillor Fletcher reported that there have been 2 complaints regarding the trees and shrubs that block light from gardens backing onto the playing field. It was decided that Cllr Fletcher would arrange a meeting with Cllr Moores and Mid Cheshire Ground Maintenance in the playing field to assess any work that may be required.</p> <p>Some damage had been sustained to branches around the children's play area. Cllr Fletcher had cut back and removed the damaged branches.</p>	DF/DM
18/008	<p>Cemetery Report</p> <p>Councillor Warburton reported that there had been a request for a bench to be situated within the Extension of the Cemetery. After meeting with Cllr Crossley, Cllr Jones and the Parish Clerk it was decided that a bench could be installed by the family of John Harrison in his memory, within the section set aside for cremations. The Parish Clerk would inform the family of the decision</p> <p>Cllr Warburton is meeting with Cheshire Wrought Iron on Weds 17th January to arrange for the work to be carried out on the railings around the cemetery and also the hand rail.</p> <p>There is a tile missing on the Boardroom roof. Cllr Warburton will arrange for the repair.</p> <p>Brambles are still causing an obstruction on the pavement of Westbrook Road leading to the cemetery. This has previously been raised with Cheshire West and Chester Council but the Parish Clerk will once again bring the matter to their attention.</p> <p>The Parish Clerk had raised various points with Atlantic Geometrics (AG) that were discussed at the last Council meeting. These were satisfactorily answered by AG, see below:</p> <p>If the company should cease trading they would provide the Council with a complete digital copy of the cemetery, registers and photos of memorials.</p> <p>The Map will be secure and the Parish Clerk will have full control being the only person authorised to grant access to any other users and to determine what level of access that will be.</p> <p>Unmarked Graves can be located by AG with specialist equipment, for a full day the cost would be £690 plus VAT.</p> <p>Hard copies of the map can be supplied if required, one per year will be free of charge.</p> <p>Photos of memorials - The current software used by AG cannot accept photographs from smartphones at present but it is hoped that the system will allow for this within 12 months. Photographs taken using Ipads however can</p>	<p>JP</p> <p>GW</p> <p>GW</p> <p>JP</p>

	<p>be downloaded onto AG software.</p> <p>Once AG are asked to commence the work they would hope to begin the process in 2-4 weeks and to complete in 8-10 weeks</p> <p>It was decided to approve commencement of digitally mapping the Cemetery.</p> <p>Proposed by Councillor Warburton Seconded by Councillor Molyneux Unanimously agreed.</p> <p>RESOLVED THAT Atlantic Geometrics be appointed to digitally map the Kingsley Cemetery.</p>	
18/009	<p>To receive Traffic/Transport Report Councillor Dean had nothing to report.</p> <p>Dr Pownall reported that he and the other 2 councils concerned would be meeting prior to the next CWAC Planning Committee scheduled for 6th February when the Town Farm Quarry pending application will be on the Agenda. Dr Pownall believes the application will be recommended for approval, which would allow Town Farm Quarry to proceed in the same manner for the next 2/3 years. A spokesperson will be needed to attend The Planning Committee Meeting to present all 3 councils. Dr Pownall will keep councillors informed over the next few weeks.</p>	CP
18/010	<p>Community Fund Councillor Crossley reported that 6 groups had applied for application packs for funding from the Community Fund. So far no actual applications had been received and Councillor Crossley asked the Parish Clerk to send out reminder letters prior to the 31st January deadline for applications.</p>	JP
18/011	<p>CWAC Local Plan II Councillor Moores had produced his comments with regard to the Local Plan II.. This had been circulated prior to the meeting. Councillor Moores said that the consultation appears to be quite restricted with any representations made being primarily on the basis of the ‘soundness’ of the Local Plan or its legal compliance. Therefore if Kingsley Parish Council wish to make a representation it has to be clear exactly what is wanted changing and the reasons for the change, to include information and supporting evidence justifying Council’s suggestions. A precis of Councillor Moores comments follows: Development in Conservation Areas <i>should be commented upon as Councillor Moores feels the boundary of the conservation area is out of date. Specific information on the planned review of conservation areas needs to be included to ensure that important areas outside these current designated areas are treated with caution until each review takes place.</i> Non Designated Heritage Sites. <i>KPC support the fact that the policy takes account of the fact that not all buildings, structures or landscapes of significance are captured on either the national lists or local lists. However, we believe there needs to be a clear commitment and timetable for the review</i></p>	

	<p>of the 'local list' and that this should be done with the support and help of parish and town councils.</p> <p>Development in Rural Areas. KPC are concerned that the precise location, type, scale and type of any development must be balanced against the capacity and capability of these Local Service Centres (LSC's) to accommodate any further growth within their boundary.</p> <p>We are concerned that the existing problems and pressures already faced by our village (Kingsley) and other LSC's will only get worse as a result of this policy without further intervention or investment. It is not clear how CWAC intend to deal with LSC's alongside their other statutory functions to provide an effective and joined up approach</p> <p>Trees, Woodlands, Hedgerows We support the general approach set out in this policy but believe further details need including that clearly define which areas are or should be designated as 'traditional orchards' as many of these areas have been lost or reduced in size over the last 10 years.</p> <p>Rural Exception Sites The concept of 'demonstration of need' requires further clarification / strengthening (or wording needs to be changed) as it appears there is some confusion and contradiction over the local needs survey being carried out by an independent body but also then being prepared by the relevant Parish or Town Council. An accurate response rate is essential to guarantee that the results of the survey are reliable. However this is then left open ended and vague and we need to ensure that an acceptable response rate be agreed by all parties (including the Parish Council and CWAC) prior to the survey being carried out to avoid any future dispute. The definition of 'strong local connection' is welcome but is also misleading as the policy states that 'after first occupation, a geographical cascade approach will apply as agreed with the Council'.</p> <p>Councillor Moores asked Councillors to send him any comments regarding the Local Plan II before 22 January as Council's representation needs to be with CWAC by 29 January.</p>	<p>ALL</p>
<p>18/012</p>	<p>Neighbourhood Plan</p> <p>In the absence of Councillor Jones, Councillor Moores gave a brief update on the Neighbourhood Plan (NP). The latest meeting was well attended. The next step is to register with CWAC by completing the Application Submission for Designating the Area required. It was decided that the area registered should include up to the parish boundary which was shown clearly on an accompanying plan. This was agreed. Once this first step has been taken then funding could be requested from CWAC who hold a budget of up to £9000 for the production of NPs.</p> <p>Proposed to submit the Application Proposed Councillor Moores Seconded Councillor Wilson Unanimously agreed</p> <p>RESOLVED THAT the Application to Designate a Neighbourhood Plan be submitted to Cheshire West and Chester Council.</p>	
<p>18/013</p>	<p>CWAC Members Budgets Award Scheme</p>	

	<p>Councillor Jones had circulated a Report prior to the meeting. The report requested approval from the Council for 2 applications to be made to the Award Scheme. One application for funding towards the Digital Mapping of the Cemetery and the other for funding towards the landscaping around the War Memorial. The Council to agree to a contribution of £250 towards the mapping of the Cemetery and a further contribution of £750 for the refurbishment of the War Memorial.</p> <p>It was agreed the application should be made to the Award Scheme and that the Council would contribute a total of £1000 towards the 2 applications.</p> <p>Proposed by Councillor Billows Seconded by Councillor Warburton Unanimously agreed</p> <p>RESOLVED THAT an application be made to CWAC Members Budgets Award Scheme for the Kingsley Parish Council to apply for funding towards the Digital Mapping of the Cemetery and the landscaping project at the War Memorial.</p> <p>ALSO RESOLVED THAT Kingsley Parish Council would contribute £1000 towards the 2 projects.</p> <p>Councillor Jones will apply for the funding before the deadline of 31st January 2018.</p>	<p>CJ</p>
<p>18/014</p>	<p>Christmas Lights Councillor Moores said that the present Christmas Lights were about 6 years old and keep breaking down. The cost of a new set of lights for the main tree and the 5 small trees above the Co-operative Store would be in the region of £655. Councillor Moores had spoken to Sam Miller of the developers of the new Co-operative Store regarding moving the brackets from the present store to the new store. Sam Miller said he would endeavour to arrange for that to happen and that electricity power would be available. The suggestion was made that the lights be purchased during the Sale season which Councillor Moores had already been investigating.</p> <p>It was agreed that new lights be purchased Proposed by Councillor Wilson Seconded by Councillor Molyneux Majority agreed</p> <p>RESOLVED THAT new Christmas Lights be purchased.</p> <p>Councillor Moores would arrange the purchase of the new lights</p>	<p>DM</p>
<p>18/015</p>	<p>Removal of dead/unsafe trees on grass verges Councillor Moores sought permission to arrange for 3 or 4 trees on the verges around the Brow to be replaced as they were in a sorry state and not suitable for their present position CWAC would need to be consulted and Councillor Fletcher will inform</p>	<p>DF</p>

	Councillor Crossley of the correct person to consult	
18/016	<p>General Data Protection Regulations</p> <p>The Parish Clerk reported that new regulations come into force in May 2018. At present it is not known whether they will apply to Parish Councils. If it is applied to KPC then there would be a requirement for a Data Protection Officer to keep an eye on the process and this cannot be the Parish Clerk. The Cheshire Association of Local Councils have advised that it will take some time for the implementation of the new regulations but proposed that the Council put aside a budget of £250, therefore the Council have £300 in the budget for 2018/2019 towards this expense. It is hoped that NALC will provide an umbrella DPO Service for Councils to join. The Parish Clerk will inform Councillor Billows of the new regulations with regard to the proposed Parish Council website.</p>	JP
18/017	<p>Correspondence Received</p> <p>The annual invitation has been received in order to nominate the Council's Chairman to attend the Buckingham Palace Garden Party on the 5th June 2018. The Council nominates Councillor Crossley to attend.</p>	JP
	Meeting Closed 9.40pm	
	<p>Date of Next Meeting</p> <p>20 February 2018</p>	

Signed:.....

Dated:.....