

**MINUTES OF A MEETING OF TARVIN PARISH COUNCIL HELD IN THE EDNA ROSE ROOM, TARVIN COMMUNITY CENTRE ON MONDAY 22ND SEPTEMBER 2014**

**PRESENT:** Councillor E Lush (Chairman)  
Councillor D H Cotgreave  
Councillor S Hardacre  
Councillor R Hones  
Councillor C Jones  
Councillor M Pochin  
Councillor J W Shaw-Pollard  
Councillor B Spruce  
Councillor R Williams

**IN ATTENDANCE:** 13 Members of the Public  
Parish Council Clerk – Mr M Hassall  
Cheshire West and Chester Councillor H Deynem

**APOLOGIES:** Councillor P Miles (holiday)  
Councillor P Twigg (business and family commitment)  
Cheshire West and Chester Councillor J Leather

**14/089 DECLARATION OF INTEREST, DISCLOSABLE PECUNIARY INTERESTS, AND DISPENSATIONS**

**14/089.1 New Written Requests for Dispensations**

There were no new requests.

**14/089.2 Declarations of Interest**

Members were invited to declare any Disclosable Pecuniary or other Interest in any item of business on the agenda and, if necessary, leave the meeting prior to discussion of that item.

Councillor Cotgreave declared a Pecuniary Interest in minute 14/100 and stated that he would leave the room when the item was examined. Councillor Cotgreave also declared a Pecuniary Interest in minute 14/094.2 but as the item was merely to record information and would not involve any comment or resolution from Councillors it would not be necessary for him to leave the room.

**14/090 OPEN FORUM**

**RESOLVED:** that the meeting be adjourned for the Open Forum.

**14/091 PARISH COUNCIL MEETING**

**RESOLVED:** that the meeting be reconvened.

**14/092 REPORT ON OPEN FORUM**

**14/092.1** A local resident had expressed concerns about the poor state of some of the footpaths in the Parish. The main areas of concern were:

- a. from the A51/A54 roundabout to The Limes Farm along Holme Street (footpath blocked by overhanging trees and overgrown grass and nettles and impassable in places.)
- b. Bye-pass Road to the junction of Lower High Street (footpath also blocked by the overgrown hedge and grass and impassable in places.)

c. Cross Lanes to Tarporley Road (footpath almost non-existent due to being covered in verge or overgrown hedgerow)

**14/092.2** A concern had been expressed regarding the length of time it was taking Cheshire West and Chester Council to implement the scheme to resolve the problem of surface water flooding along Church Street. The scheme had been drawn up, priced, agreed, and passed to the contractor for programming at the beginning of April 2014.

**14/092.3** The meeting had been informed that Tarporley High School had agreed to help local families wanting to send their child to Tarporley School by funding bus transport costs by £250 per child per year for the first two years.

**14/092.4** A request had been made for a pedestrian barrier to be installed at the end of Hockenhull Lane alongside the A51 road.

**14/092.5** A progress report had been requested regarding the Mitigation Fund for School Transport that Cheshire West and Chester Council had promised. The point had been made that it was hoped that the contribution from the Mitigation Fund would not be reduced by the contribution from Tarporley High School.

**14/092.6** A number of residents had spoken in favour of the retention of Green Belt status for the land between Townfield Lane, the A54, and A51.

**14/092.7** Borough Councillor Deynem had stated that:

a. the Mitigation Fund meetings had not yet taken place but would do so in the near future. He had added that he would not expect any financial contribution from Tarporley High School to affect any contribution from the Mitigation Fund.

b. A public meeting would be taking place at St Peters School Duddon at 7.30pm on 23rd September to discuss the possibility of 100 residential properties being built in a field opposite where the Headless Woman Public House used to be. He had confirmed that a planning application had not yet been made by the developer.

**14/092.8.** Borough Councillor Deynem had encouraged people to use the Cheshire West and Chester Council smile travel app

#### **14/093 MINUTES OF THE MEETING HELD ON 4TH AUGUST 2014**

**RESOLVED:** that the minutes of the meeting held on 4th August 2014 be signed by the Chairman as a correct record.

#### **14/094 REPORT ON ACTIONS ARISING FROM THE MEETING ON 4TH AUGUST 2014**

**14/094.1 Council Small Holdings Property** (Previous Minute 14/071.3)

Cheshire West and Chester Council had removed the boarding on 19th August 2014 and a more visually appealing clear security had been fitted to the windows. They had confirmed that a maintenance package for the garden had been put in place. A short term let was not an option that they intended to pursue at the present time.

**14/094.2 Newt Pond Field Tarporley Road** (Previous Minute 14/071.5)

The Taylor Wimpey design engineer based in Tarvin had given the Clerk contact details of the two Taylor Wimpey employees responsible for the maintenance of the field. To date the Clerk had been unable to speak to either of them and neither had responded to e-mail.

**14/094.3 Parking on Grass Verge Hockenhull Avenue Meeting with Chester and District Housing Trust** (Previous Minute 14/071/6)

Councillor Hones had met with Sue Cadwalader (Chester and District Housing Trust). Ms Cadwalader had said that they were exploring putting a driveway access into one of the bungalows and that others might follow suit in the future. Since the meeting a driveway access had been put into one of the properties.

**14/094.4 Potholes** (Previous Minute 14/071.7)

Borough Councillor Deynem had confirmed that he would feed the stated roads into the plan but he was unable to confirm any prioritisation as he was unaware of the other contenders on the list.

**14/094.5 Society of Local Clerks Conference 17th September 2014** (Previous Minute 14/085.3)

The Clerk had withdrawn his application to attend the conference due to a medical appointment for a further procedure.

**14/094.6 Street Lights** (Previous Minute 14/085.6)

The two street lights within Gowy Crescent had been repaired

**14/094.7 Cheshire West and Chester Council – Councils Together Event – 16th September 2014** (Previous Minute 14/085.1i)

Councillors Hones and Hardacre had attended the event and a copy of their report is attached to the minutes.

**RESOLVED:** that Messrs Ewan McHenry and Kieran Collins be invited to meet with Councillors

**14/094.8 Councillors Photographs** (Previous Minute 14/080)

Councillors were reminded that their photographs were needed for the website

**14/094.9 War Memorial** (Previous Minute 14/085.2)

It was unlikely that a quotation would be forthcoming

## **14/095 LIST OF OUTSTANDING ITEMS**

A copy of the list of outstanding items not covered elsewhere is attached to the minutes.

### **2.1 Hedge**

The case file was currently being written up to be sent to the Cheshire West and Chester Council legal team. The reason for it taking so long was reorganisation and loss of staff.

### **4.4 Footpath on Church Street**

**RESOLVED:** that Borough Councillor Deynem be asked to instruct Highways to carry out the work as soon as possible

### **4.6 Tarporley Road**

Councillor Cotgreave expressed concerns about the lack of progress made by Cheshire West and Chester Council reminding Council that the request for the work to be done was made to Mr McHenry on 7th October 2013

### **4.7 Extension of 40mph speed limit Tarporley Road**

The assessment had been completed and a 40mph speed limit had been recommended for the length of road. To comply with Highways Policy it would be necessary to establish that 51% of those residents affected by the reduction in speed limit support it. The Parish Council were therefore being asked to carry out a consultation exercise which would at least need to cover the properties with frontages along the route.

**RESOLVED:** that the Council consult with people whose property fronts Tarporley Road between the A51 and Duckers Well plus all occupied homes on the Taylor Wimpey Site, Gamul Court, Tarporley Road cul-de-sac and Langford Court. Councillors would deliver and collect the consultation questionnaires.

### **4.8 Turning into Tarporley Road**

The stage 3 safety audit had concluded that there was no problem with the new layout at the turning into Tarporley Road from the A51.

**RESOLVED:** that the Council appeal against the decision

### **4.9 Litter Bin**

A bin had not been installed on the Ridgeway close to the junction with Lower High Street as Highways did not consider that there was sufficient need at that point.

**RESOLVED:** that the Clerk inform Highways that the decision was not within the spirit of localism

#### **14/096 STREETSCENE INCLUDING WORKING PARTY REPORT**

**14/096.1** There wasn't a Streetscene Working Party report.

**14/096.2 Street Lighting Column** – the lighting column outside The Hawthorns, Pool Lane, Tarvin had been reported as not working on 12th August 2014. An order for repair had been issued by the Clerk and the repair carried out on 9th September 2014.

#### **14/096.3 Crossing the A54 Road**

A local resident had complained about how difficult it was to cross the road with a toddler and a baby. She had said that there was a small island but when she had the pram it wouldn't fit on properly and it felt very unsafe to be stood in the middle of such a busy road with speeding traffic.

The meeting was reminded that in its comment on Planning Application 12/00770/FUL Council had wished to see a Pelican Crossing at this point but the request had been turned down

**RESOLVED:** that the Clerk ask Highways to re-access the situation

#### **14/096.4 Lower High Street** (Previous Minute 14/073.3)

Highways had stated that they didn't have a specific number of HGV's to justify action, but the Area Highways Manager would need to be satisfied that there was a problem with HGV's using Lower High Street as a through route before he would approve the advertising of a Traffic Regulation Order to introduce a weight restriction. As part of the process a statement would need to be prepared giving justification for the restriction and the count information would be used for this.

Commercial vehicles with a maximum gross weight of more than 7.5 tonnes were classed as heavy good's vehicles and were identified by the yellow and orange markings on the rear of the vehicles. Agricultural vehicles such as milk tankers would come into this category but most tractors would be classed as MGV's and as such wouldn't be included in the survey. The cost of the survey would be approximately £450 of which Council would need to provide 50%. If full turning counts plus a HGV survey was required the cost would be approximately £1,000 with Council providing half the cost.

The meeting noted that the Police had indicated that they would not enforce any weight limit restrictions.

**RESOLVED:** that Council look to install "Unsuitable for HGVs" signs at each entrance to the village and ask for the proposal to be costed.

#### **14/096.5 Rubbish on By-Pass** (Previous Minute 14/073.8)

Highways had made two separate visits to clear the rubbish on By-Pass road

#### **14/096.6 Water Leak** (Previous Minute 14/073.9)

The water leak had been repaired on 5th August 2014

#### **14/097 SPEEDING - OSCROFT** (Previous Minute 14/073.5)

A copy of the report produced by Councillor Lush and the Clerk is attached to the minutes.

**RESOLVED:** (14/097.1) that the scheme be done in one go rather than split

**RESOLVED:** (14/097.2) that the project be funded through the New Homes Bonus and if appropriate at the time an application to Members Budgets

**RESOLVED:** (14/097.3) that the Clerk ask whether the part of Cross Lanes from the junction with Tarporley Road to the 30mph sign could be reduced to 40mph

#### **14/098 GREEN BELT** (Land Bounded by the A54/A51 near Tarvin Roundabout)

A copy of the report and recommendation from the Strategy Working Party is attached to the minutes.

**RESOLVED:** that the report be accepted and the recommendations approved.

**14/099 ASSETS OF COMMUNITY VALUE** (Previous Minute 14/071.4 Harris Field, Minute 14/054.5 Garden Field)

Cheshire West and Chester Council had turned down both applications. The Clerk had requested clarification and details of the appeals procedure and received the following: “The Act provides for the owner of land listed as an asset of community value to ask the local authority to review its decision. The deadline for the owner to request this is 8 weeks from the date that notification of the decision was given.

The Act does not provide a mechanism for the applicant to seek a review of its decision. The Act is clear that to be listed the current use of the asset must further the social wellbeing or social interests of the local community or it must have done so in the recent past and it must be realistic to consider that it could do so again in the next 5 years. The fields are in agricultural use and are not used by the community, nor have they been. They therefore do not meet the definition of asset of community value as set out in the Act. Whilst the Parish Council may believe that there could be potential community use for the land in future this is not a factor for consideration when determining an application.”

**RESOLVED:** that the decision be accepted

**14/100 COMMUNITY ASSET DEVELOPMENT EAST OF TARPORLEY ROAD**

**14/100.1** The Pre-application advice form had been forwarded to Cheshire West and Chester Council on 18th August 2014 and validated by Cheshire West and Chester Council on 21st August 2014.

**14/100.2** The Future Land Use Masterplan Working Party had met with Mr Andrew Jamieson on 3rd September 2014. It had been agreed that Mr Jamieson should explore every appropriate network to acquire land and a further meeting was planned for week commencing 29th September 2014.

**RESOLVED:** that if nothing significant resulted from the next meeting with Mr Jamieson Councillor Pochin should speak with Gladman to ascertain whether they would meet with to examine the way forward

**14/101 NEIGHBOURHOOD PLANS**

**RESOLVED:** that

**14/101.1** the Clerk purchase a copy of the Toolkit from Cheshire Community Action and circulate it to Councillors

**14/101.2** a representative from Cheshire Community Action be invited to attend the Open Forum at the next meeting

**14/101.3** that a paper is prepared and circulated with Tarvin Times in November 2014 providing details of Neighbourhood Plans and requesting volunteers to be part of a working party should Council agree to produce a Neighbourhood Plan

**14/101.4** that consideration be given to the Council beginning to produce a Neighbourhood Plan starting in April 2015

**14/102 PLANNING MATTERS**

**14/102.1 Planning Minutes**

**RESOLVED:** that the minutes of the Planning Meeting held on 6th September 2014 be approved

**14/102.2 RESOLVED: that the following comments be made on the planning applications submitted**

**14/03604/OUT** – Construction of one dwelling with associated outbuildings – Land Adjacent to Well House, Willington Road, Willington

Comment: No Objections

**14/03816/FUL** – Erection of detached dwelling – 57 Hockenhull Lane, Tarvin

Comment: No Objections

**14/102.3 NOTICES**

The following notices had been received:

**14/00191/FUL** – Erection of Agricultural Workers Dwelling – Land opposite Brook Cottage, Willington Road, Willington – **REFUSAL**

Councillor Cotgreave expressed serious concerns regarding the refusal decision made by Planning

**14/02579/FUL** – First floor extension and garage conversion – 69 Crossfields, Tarvin - **PERMISSION**

**14/02334/FUL** - Rear single storey extension and internal alterations. New window to the front elevation – Tay Cottage, Chester Road, Tarvin - **PERMISSION**

**14/02556/FUL** – Erection of Two Residential Dwellings – Brook House Farm, Kelsall Road, Tarvin – **REFUSAL**

**14/01736/LBC** – Internal Alterations and Installations – The Old Vicarage, Church Street, Tarvin - **PERMISSION**

**12/01215/FUL** – Demolition of existing building and construction of 6 dwellings with new access – Top Farm, High Street, Tarvin – **PERMISSION**

**14/03019/FUL** – Single storey extension – 9 Hockenhull Lane, Tarvin - **REFUSAL**

**12/01215/FUL** A concern was expressed that there would no affordable accommodation in the package and that a gate would prevent access through the development

**RESOLVED:** that consideration be given to comments made by the Planning Officer in his report on application 12/01215/FUL at the next meeting

**14/102.4 Land adjacent to 19 Heath Drive, Tarvin**

Following a complaint by a member of the public on 11th August 2014 the Clerk had informed Cheshire West and Chester Council that the house foundations were full of ground water. The main concern had been that no one appeared to have been working there for a period of time and that there was no secure barrier to stop children entering the site, which was an obvious hazard with so much water around. The Enforcement Officer had agreed with the concerns raised and made contact with the builder. A security fence had been put across the whole site on 15th August 2014

**14/102.5 No 43 High Street, Tarvin**

Following a complaint by a member of the public to a Councillor on 9th August 2014 the Clerk had informed the Enforcement Officer that the wooden windows of the property had been replaced with UPVC windows.

**14/103 INVESTMENT PRIORITIES**

A copy of the report of the report produced by Councillor Lush is attached to the minutes.

**RESOLVED:** that a Strategy Group Working Party meeting be arranged to examine the document in detail and then report back to Council.

#### **14/104 SAXON HEATH UPDATE**

A local resident had been informed that the developer was going to reseed the previously grassed area along Tarporley Road

#### **14/105 NEW HOMES BONUS**

##### **Defibrillator**

Borough Councillors Deynem and Leather had each approved £400.00 from their budget and the Parish Councils contribution was £765.00. The Defibrillator had been ordered and was likely to be installed in November 2014.

#### **14/106 SPECIAL PROJECTS**

The wooden bench had been installed on High Street by Highways on the morning of 17th September 2014. The licence had previously been approved and signed by the Clerk.

#### **14/107 KING GEORGE V PLAYING FIELD**

##### **14/107.1 Tree outside Bowling Club**

The tree had been removed on 10th September 2014. The meeting noted that the replacement trees needed to be planted

##### **14/107.2 Scout and Guide Hut**

The Scout and Guide Movement had reported that some asbestos had been found in some of the floor tiles within the Scout and Guide building.

#### **14/108 REPORT ON JOINT COUNCIL MEETING**

A copy of the report presented by Councillor Hardacre is attached to the minutes

#### **14/109 GROWTH AND PROSPERITY TRANSFORMATION PROGRAMME – PUBLIC CONSULTATION**

**RESOLVED:** that the Clerk forward a copy of the attached document to Cheshire West and Chester Council

#### **14/110 GOVERNANCE AND ACCOUNTABILITY FOR LOCAL COUNCILS**

The Clerk informed Council that much of the day to day running of the King George V Playing Field along with major decisions affecting the Charity would in future be reported at a meeting of the Trustee of the Charity rather than at a Parish Council meeting. The ownership, maintenance, and insurance, of the Play Equipment would remain the responsibility of the Council meeting.

#### **14/111 INSURANCE RENEWAL**

Council Insurance was due for renewal on 1st October 2014. A long term agreement had been approved by Council on 23rd September 2013 so alternate quotations had not been obtained. An Insurance Review had been carried out by the Finance Working Party in March 2014 and they had been happy that the existing cover met the requirements of the Council. The only significant changes since then were the new information panel at the Pinfold and the new bench on High Street and both had been added to the cover. The new premium was £1,885.99 (Budget figure £2,000).

**RESOLVED:** that the above be accepted and agreed

#### **14/112 PARISH PLAN IMPLEMENTATION GROUP**

**RESOLVED:** that Councillor Hardacre's request to withdraw from the Implementation Group be accepted.

#### **14/113 CLERK'S REPORT/CORRESPONDENCE**

**14/113.1** The following had been forwarded to Councillors

- a. Cheshire West and Chester Council – Members Briefings No's 709 to 730
- b. Cheshire West and Chester Council – Partnerships West – August 2014
- c. Cheshire West and Chester Council – Local Council Bulletin August 2014
- d. Tarvin Community Woodland Trust – Minutes of August and September 2014 meetings
- e. Community Safety Warden Newsletter September 2014
- f. Cheshire West and Chester Council – Local Plan – Main Modifications Document
- g. Tesla Exploration International Ltd
- h. E-mail from Broomheath Plantation mainly regarding Allotments
- i. Cheshire Association of Local Councils Chester Area Meeting – 24th September 2014 (information only forwarded to Councillors Lush, Hardacre, and Williams)
- j. Broomheath Plantation – PROW Closure
- k. Understanding the Fracking Debate – 28th October 2014 – Venue to be confirmed – Maximum of two Councillors per Council

**RESOLVED:** that Councillors Hardacre and Pochin represent Council at the meeting

- l. Sandstone Trail – 40th Anniversary Celebration Event
- m. Cheshire West and Chester Council – Local Council Bulletin – September 2014

#### **14/113.2 E-mail from Local Resident – Community Centre/Tarvin School**

**RESOLVED:** that the following be forwarded to the local resident

Cheshire West and Chester Council is currently consulting on a proposal to de-register the Tarvin Rural Children's Centre.

The Children's Centre occupies three rooms in the building in Meadow Close, and shares use of the lobby, kitchen and toilets with the Community Centre. This is a small part of the whole building. Around half of the building is used as offices by CWaC, and there is no proposal to change this. The remainder of the building is occupied by the Community Centre on a 25-year lease, signed earlier this year. The Children's Centre hires space in the Community Centre for some of the activities it runs. Even if it is de-registered it is likely that some of these activities will continue under a different umbrella.

So far as Tarvin Primary School is concerned, it has been agreed that the school will increase its intake of pupils from 210 to 315 over the next few years. CWaC has recently published plans for an extension to the existing school building. The extension will accommodate the planned increase in pupils, and will also incorporate purpose-built accommodation for Tarvin Pre-School Nursery, which currently occupies a temporary building on the school site. Subject to planning permission, building should start in spring 2015. The Parish Council supports the plan to extend the school on its existing site.

#### **14/113.3 Tarvin Conservation Area**

**RESOLVED:** that the note from Councillor Hones be carried forward to the next meeting

#### **14/113.4 Peter Crabbe**

The meeting noted that Mr Crabbe had been absent from work since 9th September and would probably be returning to work early in October.

#### **14/113.5 Tarvin Community Woodland Trust**

**RESOLVED:** that the Clerk write a letter of support for the Trust

#### **14/114 FINANCIAL MATTERS**

**14/114.1 Payments**

The following payments had been made since the last Council meeting having been authorised by the Clerk.

<b>Payee</b>	<b>Detail</b>	<b>Amount Paid</b>
<b>Cheshire West and Chester Council</b> 2685	Fee for Pre Application Planning Advice	<b>250.00</b>
<b>Tarvin Community Centre</b> 2686	Storage of Parish Council Paperwork	<b>120.00</b>
<b>BDO LLP</b> 2687	External Audit Fee Year to 31st March 2014	<b>240.00</b>
<b>Payroll Cheques</b> 2688/9	August 2014	<b>925.57</b>
<b>Cheshire West and Chester Council</b> 2690	Defibrillator	<b>765.00</b>
<b>BT Payment Services Ltd</b> 2691	Telephone and Internet August 2014	<b>51.62</b>

**RESOLVED:** that the above payments be confirmed

**14/114.2 Cheque Payments**

**RESOLVED:** that the following payments be authorised –

<b>Payee</b>	<b>Detail</b>	<b>Amount to be Paid</b>
VAT	Net Amount to Charge against budget	Budget available before payment
<b>Broker Network Ltd</b>	Insurance Year to 30th September 2014	<b>1,885.99</b>
0.00	1,885.99	2,000.00
<b>Fastrack Maintenance Ltd</b>	Grass Cutting August 2014	<b>360.36</b>
60.06	300.30	
<b>Tarporley High School</b>	Printing Newsletter	<b>56.00</b>
0.00	56.00	
<b>John Robertson Ltd</b>	6ft Wooden Bench	<b>278.40</b>
46.40	232.00	
<b>Chester and District Housing Trust</b>	Garage Rent – Qtr. to 31st December 2014	<b>60.58</b>
0.00	60.58	

<b>Tarvin Community Centre</b>	Hire of Room 4th August, 18th August, and 22nd September 2014	<b>75.60</b>
0.00	75.60	
<b>BT Payment Services Ltd</b>	Telephone and Internet September 2014	<b>51.62</b>
8.60	43.02	
<b>Payroll Cheques</b>	September 2014	<b>925.57</b>
0.00	925.57	

**14/114.3 Bank Account.** Lloyds Bank had contacted the Clerk to explain that they had found a way to manage the Business Call Account and that Council would therefore be able to continue to use it long term.

**14/114.4 Management Statement of Accounts**

Management Accounts for the 3 months to 30th June 2014 were presented and accepted.

**14/114.5 External Audit**

The External Auditor had completed his work and returned the certified Annual Return to March 2014. It was a clean Audit, with no amendments or concerns

**14/114.6 Internet Banking Transfer**

**RESOLVED:** that HM Revenue and Customs be paid the sum of £383.66 to cover PAYE and National Insurance Contributions for the Quarter to 30th September 2014 by Internet Banking Transfer

**14/115 TOPICS FOR TARVIN COMMUNITY WEBSITE**

**RESOLVED:** that articles be written on the newt pond, parking on grassed areas, speed limit on Tarporley Road, Neighbourhood Plans, Speeding in Oscroft, and the turning into Tarporley Road

**14/116 DATE OF NEXT MEETING**

**RESOLVED:** that the next Council meeting be held on Monday 27th October 2014 – 7.15pm - Edna Rose Room, Tarvin Community Centre