

MINUTES OF A MEETING OF TARVIN PARISH COUNCIL HELD IN THE EDNA ROSE ROOM, TARVIN COMMUNITY CENTRE ON MONDAY 27TH SEPTEMBER 2021.

PRESENT:

Councillor R Ford (Chairman)
Councillor E Lush (Vice Chairman)
Councillor D H Cotgreave
Councillor S Dutton
Councillor R Harrison
Councillor P Ryan
Councillor P Twigg

IN ATTENDANCE:

Approximately 10 Members of the Public

APOLOGIES AND REASONS FOR ABSENCE:

Councillor B Dean (unwell)
Councillor H Flynn (family commitment)
Councillor M Pochin (family commitment)
Cheshire West and Chester Council – Councillor H Tonge
Cheshire West and Chester Council – Councillor J Leather
Parish Council Clerk – Mr M Hassall - (unwell)

21/080 MINUTES OF MEETING

Councillor Twigg took minutes in the absence of the Clerk.

21/081 DECLARATIONS OF INTEREST, DISCLOSABLE PECUNIARY INTERESTS, AND DISPENSATIONS

21/081.1 New Written Requests for Dispensations

There were no new requests.

21/081.2 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. No such declarations were made.

21/082 RESIGNATION OF COUNCILLOR

The meeting noted that:

21/082.1 James Norrie had resigned as a Councillor on 6th September 2021.

21/082.2 The Clerk had informed Cheshire West and Chester Council and published a notice stating that any 10 residents could call an election by requesting one in writing within 14 working days (deadline Thursday 30th September 2021).

21/082.3 Should an election not be called the Clerk would publish a notice asking for volunteers with a closing date of 23rd October in order that co-optation could take place at the next Council meeting.

21/083 OPEN FORUM

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

21/084 PARISH COUNCIL MEETING

RESOLVED: that the Council meeting be reconvened.

21/085 REPORT ON OPEN FORUM (This minute was not reported to Council in the formal meeting. It is a record of the items raised in the Open Forum)

21/085.1 Planning Application 21/03484/FUL

Four members of the public had raised concerns, not necessarily objecting to the application, for the proposed change of use. The concerns related to too many new uses being put onto a small site, no community engagement to see what services were actually wanted, potential overlooking from flat windows, hours of operation and delivery would cause nuisance to neighbours. Additionally, points were raised as to why a laundrette was proposed, illumination and dominance of new totem sign, noise nuisance, surface water drainage of the car wash, general lack of information in a poor planning statement, and threatening the viability of the High Street. The Post Office was struggling now and relied on the shop to keep it going, any loss in revenue would probably mean the Post Office would close.

21/085.2 Parking along Bye Pass Road

Two residents spoke to strongly object to having been issued parking tickets for parking on the pavement that was adjacent to properties fronting the A54 and the fact that this pavement is a shared cycleway footpath.

21/085.3 Surface Water/Foul Drain Issues Tarporley Road/Hockenhull Avenue

Concerns were raised and photos were distributed regarding the surface water issues and foul drain surcharging into the highway drainage ditch that runs along land within the control of Cheshire West and Chester Council. It was acknowledged that this was not a new issue and that Borough Councillor Tonge was dealing with the matter.

21/085.4 Tarporley Road Hedge

It had been pointed out that in the part of Tarporley Road that was a cul-de-sac, the Cheshire West road sweeper had been unable to sweep to the kerb as Cheshire West had failed to cut back the hedge for which it was responsible.

21/086 MINUTES OF THE MEETING HELD ON 23RD AUGUST 2021.

RESOLVED: that the minutes of the meeting held on 23rd August 2021 be signed by the Chairman of the meeting as a correct record.

21/087 REPORTS ON MATTERS ARISING FROM THE MINUTES OF THE MEETING HELD ON 23RD AUGUST 2021 NOT COVERED BY THE AGENDA

Five volunteers from Tarvin and four from Oscroft had taken part in the Community Litter Pick on 25th September.

21/088 PLANNING MATTERS

21/088.1 Planning Applications

RESOLVED: that the following comments be made on the planning applications submitted:

21/03206/FUL - Remove existing 1.2m high fencing to the front and rear of the school to new 2m high fencing - Tarvin Primary School Heath Drive Tarvin

Comment: We object to the proposed fencing to the front of the school having the overbearing appearance of a correctional institution which will adversely impact on the streetscape along Heath Drive, a rural village street dominated by residential properties. Aesthetically the proposed fencing will be harmful, and the applicant should consider to amending to 1.5m high bow top fencing as found in Waverton, Tarporley and Tattenhall Primary Schools (photos distributed and to be forwarded to CWaC).

The necessity and practicalities of replacing the fencing parallel to residential properties that border the school field was objected to.

The fencing to the rear boundary that is shared with the woodland should seek to protect the viability of the trees and maintain access into the woodland. The access should be designed to allow a permanent entrance into school grounds so that children can walk/cycle via the woodland and thereby reducing the number of vehicle drop offs.

21/03361/FUL - Single storey extension to rear – 47 Deansway, Tarvin

Comment: No Objections

21/03388/FUL - Erection of one dwelling and garage (Revised full application to relocate approved dwelling and garage and adjust the residential curtilage following approval 21/00964/S73) – Broomacres, Broomheath Lane, Hockenhull

Comment: No Objections

21/03484/FUL - Change of use of existing vehicle workshop to retail E(b), expansion of area of the existing retail facility and cessation of use of existing vehicle workshop. Retention of existing fuel station and provision of managers flat within existing first floor area – Greenacre Garage, Church Street, Tarvin

Comment: We do not object to the principal of the re-use of the building, but numerous concerns are raised to the proposed use (over intensification), including the following.

- Comment: Is the description correct? Should it not be E(a)? sales for retail other than hot food for visiting members of the public (we object to E(b) which relates to food and drink consumption on the premises).
- Section 6 – this is a contaminated site that will be introducing residential use that will be a use vulnerable to contaminants on site.
- The planning statement does not address all the matters proposed:
- Where are the electric charging points and bays that go alongside?
- What is the surface water disposal scheme? How is the car wash to be managed – cars in and out? Is it a mechanical or hand wash car wash? What about the noise of the car wash impacting on residential properties?
- There has been no direct community engagement to determine the need for a launderette etc.
- How will the parking be provided for all the uses on site - for customers using the shop or filling station, customers using the car wash service, customers parking up to charge vehicles, customers parking to take or collect laundry.
- Potential window to window overlooking from the habitable room windows in the proposed flat.
- A site management condition is required should the council be minded to approve the application given the proximity of the site to neighbouring residential properties. Regard should especially be taken to delivery and opening times bearing in mind that the Co-op in Tarvin is restricted to 7am until 10pm.
- It should be noted that it is likely that the competition of another convenience store in the village may impact the viability of the Post Office and as this is crucial to the life of the village and a most valued facility (evidenced in the Neighbourhood Plan surveys), this would mean the loss of many services including banking.

21/03638/FUL - Extension and alterations to openings of former Weetwood Ales Brewery – Weetwood Grange, Weetwood

Comment: No Objections

21/088.2 Notices

20/02572/FUL - Alterations to existing dwelling and erection of one detached dwelling to garden with off road car parking, associated landscaping, bin store area and new vehicular access with drop kerbs off High Street – Spruce Cottage, 2 Hockenhull Lane, Tarvin - **PERMISSION**.

20/02960/FUL – First Floor Rear Extension – 72 High Street, Tarvin – **REFUSAL**

20/04394/FUL- New vehicle access and hardstanding – 15 Broomheath Lane, Tarvin - **PERMISSION**

20/04556/FUL - First floor extension to side, alterations to garage roof and single storey extension to rear – 7 Heath Drive, Tarvin - **PERMISSION**

21/088.3 Enforcement

20/03392/FUL - Change of Use of land for use as traveller site consisting of 1 static caravan, 5 trailer caravans, day room, septic tank and landscaping – Land at Tarporley Road, Tarvin.

When the Enforcement Officer had attended the site on 5th August the Agent had confirmed that they intended to re-submit a planning application within four weeks from the date of the visit.

The applicant had re-submitted an application on the 7th September. Due to the volume of applications that Cheshire West were dealing with, the application had not been through validation but it was expected to do so during the next few days.

21/089 LICENSING

Consideration of the following application made under Licensing Act 2003/Gambling Act

Applicant and application number	Premises and Address	Permitted activities and opening hours of the premises	Reason for application	Consultation end date
Application under consultation				
Adam Crimes 555271	Indie Hops, The Manor House, Church Road Tarvin Chester CH3 8EB	Supply of alcohol on and off the premises. Monday to Saturday 11:00 to 21:00 Sunday 1200 to 21.00 Opening hours Monday to Saturday 11:00 to 21.00 Sunday 12.00 to 21.00	Application for the grant of a premises licence.	29 September 2021

RESOLVED: to note the application and not to comment or attend the Licensing Sub-Committee meeting.

21/090 KING GEORGE V PLAYING FIELD

The meeting noted that the Scout Association Board had agreed to consider the paperwork at their board meeting scheduled for early October.

21/091 RIDGEWAY PROJECT

It was reported that this item had not been progressed as the Highways Officer was absent from work through sickness. Borough Councillor Leather had been asked to find a different officer who was able to move the project forward.

21/092 SPECIAL PROJECTS

21/092.1 Grants to community groups whose finances had been badly hit by Covid-19.

Applications had been received from four organisations.

RESOLVED: that the following grants be given subject to the Clerk being comfortable with the accounting arrangements and that funding be taken from the New Homes Bonus fund: Ashton Hayes Theatre Club £1,090.35, Tarvin Athletic FC £2,105.00, Tarvin Pre-School and Day Nursery £800.00, Tarvin Methodist Church £2,300.00.

21/092.2 Opportunity for Councillors to indicate how their work is progressing on footpaths.

No issues were raised

21/093 INSURANCE

Councils insurance was due for renewal on 1st October 2021 and the long-term agreement had come to an end. The Clerk had obtained the following quotations based on similar cover:

Hiscox £1,815.25, Pen Underwriting Ltd £2,337.19

In each case a broker £50.00 administrative charge needed to be added to the above.

Hiscox were offering a reduced premium (5% lower) if Council would enter a three-year agreement.

RESOLVED: that the quotation from Hiscox be accepted and the Clerk enter into a three-year agreement with them. The first premium payable, and to be paid by 30th September 2021, including the admin charge, would be £1,774.49.

21/094 CYCLEWAY – BYE-PASS ROAD

Cheshire West and Chester Council have issued a number of notices (understood to be Fixed Penalty Notices) on vehicles allegedly parked on the pavement outside properties on Bye-Pass Road which is a shared route for pedal cycles and pedestrians and the Clerk and Borough Councillors have received complaints from residents.

Discussions had been ongoing since then and Parking had agreed to suspend all activities on this matter (no more tickets and those who have received tickets are on hold) for a short time (a few weeks) while the matter was investigated by a small working party who would visit Bye-Pass Road. The working party to consist of representatives from Parking, Highways, Borough Councillors, and Tarvin Parish Council.

The meeting noted that:

- residents felt that there should have been a consultation process and they had not realised that the joint cycle footpath had been in place for the last six years.
- residents required clarification on what had triggered the on-the-spot fines
- what Cheshire West's objectives were as Bye Pass Road is a clearway so where were visitors and residents meant to park.

- some residents considered that they had planning permission to pull in and park on the highway and application 97/00495/FUL had been quoted.
- Cheshire West needed to advise residents that they do not have to pay their fines until the matter was resolved.

RESOLVED: that Councillor Dutton publish an appropriate post on the Parish Council Facebook page

21/095 REMEMBRANCE SUNDAY

The Churches were in the process of preparing for Remembrance Sunday. An application was being made to Cheshire West and Chester Council to close the road with most of the cost being met using the £300.00 in the Parish Council budget.

The Clerk would be ordering the wreath for Council during the next few days and making a donation of £150.00 as approved in the budget.

21/096 CHRISTMAS ACTIVITIES

21/096.1 Street Market

The meeting noted that the Street Market was scheduled for 4th December.

21/096.2. Christmas Trees and Lighting

RESOLVED: that Councillor Ford liaise with Councillor Pochin and that arrangements be made for trees to be put up on 27th November 2021.

21/097 CO-OPTION POLICY

A draft policy document was considered.

RESOLVED: that the document be approved. A copy of the approved document is shown under Appendix 1.

21/098 CHESHIRE WEST AND CHESTER COUNCIL – REVIEW OF DECISION MAKING PROCESSES

Councillor Lush reported that he had taken part in an online workshop run by Cheshire West and Chester Council who were reviewing their decision making processes. The session had been one of a number being conducted with interested parties and once consultations had been concluded the results would be collated and fed back to their Cabinet who would decide what changes, if any, would be made to improve their processes. There had been a wide ranging discussion during which it had been suggested that the Borough Council needed to improve the way it got important messages, proposals and policies out to residents and comment had been made that they should take Parish Councils into their deliberations at the earliest feasible time and that those bodies would be an ideal local conduit to get decisions disseminated once they had been taken.

21/099 DRAINS/STREAM TARPORLEY ROAD/HOCKENHULL AVENUE

It was reported that heavy rain late afternoon on Thursday 9th September had resulted in manholes being lifted and sewage and paper being left on the ground. The stream was also silted up. United Utilities had been out to investigate but appeared to have only visited one property. Borough Councillor Tonge was in contact with United Utilities who confirmed an Open Case on one property going back some time but because the problem only occurred occasionally it was not being given priority.

Borough Councillor Tonge was in the process of arranging a meeting with Highways and the Parish Council to consider the way forward.

21/100 CLERK'S REPORT/CORRESPONDENCE

The following e-mail correspondence had been forwarded to Councillors who were provided with an opportunity to comment on them.

- a. Cheshire Association of Local Councils E Bulletins
- b. Healthwatch Cheshire West Annual Report 2020/21
- c. Cycling Matters – Autumn 2021

21/101 FINANCIAL MATTERS

21/101.1 August 2021 Payments

Councillor Ford had confirmed in writing that the payments approved at the August Council Meeting had been made as approved by the meeting and that the payments between meetings had been made as stated.

21/101.2 RESOLVED: that the following payments made since the August meeting be confirmed:

Payee	Detail	Amount to be Paid
VAT	Net Amount to Charge against budget	Budget available before payment
Groundforce Landscape Ltd	Grass Cutting King George V Playing Field, Millennium Garden, Oscroft Green August 2021	578.93
96.49	482.44	1,732.38
Mr P Maiden	Reimbursement of Expenditure – Replacement timber for Cableway on King George V Playing Field	6.25
0.00	6.25	750.00

21/101.3 RESOLVED: that the following payments be authorised, and that payments be made by internet banking:

Payee	Detail	Amount to be Paid
VAT	Net Amount to Charge against budget	Budget available before payment
PKF Littlejohn	External Audit Year to March 2021	360.00
60.00	300.00	292.00
Cheshire Surveys Ltd	Topographical Survey Re Ridgeway Project	234.00
39.00	195.00	3,000.00
Cheshire Association of Local Councils	Social Media Skills Training – Councillor S Dutton 21st September 2021	30.00
0.00	30.00	300.00
Payroll	September 2021	1,597.01
0.00	1,597.01	13,869.67
HMRC	PAYE and Nat Insce July to Sept 2021	1,424.96
0.00	1,424.96	12,444.71

21/101.4 Direct Debit

The meeting noted the following direct debit payment.

British Telecom Plc

31st August 2021 – Telephone and Internet August 2021 – two venues - £122.10

21/101.5 External Audit

The External Audit had been completed and the Annual Return had been returned to the Clerk. No significant issues had been raised. The Completed Annual Return would be published on Council's website and Noticeboard before 30th September.

RESOLVED: that the Annual Return including the certificate signed by the External Auditor be approved and accepted by Council

21/102 LIST OF OUTSTANDING ITEMS

The report was noted.

21/103 TOPICS FOR TARVINONLINE AND FACEBOOK

Co-option, planning applications 21/03206/FUL and 21/03484/FUL, enforcement on 20/03392/FUL, special projects approved, litter pick, and Bye-Pass Road

21/104 DATE OF NEXT MEETING – Monday 25th October 2021 – 7.15pm – Edna Rose Room, Tarvin Community Centre

APPENDIX 1

Tarvin Parish Council Co-option Policy

1. INTRODUCTION

1.1 There are two circumstances under which the Electoral Officer of Cheshire West and Chester Council (CWaC) will notify Tarvin Parish Council that it may proceed to fill a casual vacancy by co-option:

- a) when a seat has been left vacant because no eligible candidate stood for election at the full elections for a new Council. In this instance the Parish Clerk would be notified of vacancies by CWaC and that efforts must be made to fill the vacancies by co-option.
- b) during the life of a Council when a seat has fallen vacant (because of a resignation, death or ineligibility). The Parish Clerk will immediately notify the Electoral Officer and the vacancy will be advertised by the Parish Clerk. If the required 10 electors of the Parish have not called for a poll (by-election) within the legally specified time period (currently 14 days) following publication of the Notice of Vacancy, the Parish Clerk would be notified by CWaC and that the vacancies can be filled by co-option.

1.2 When the Council invites applications for co-option it should seek to fill the position as soon as possible. However, it is not legally obliged to select anyone from the candidates who apply. It should be noted though that it is not desirable that electors be left partially or fully unrepresented for a significant length of time. Neither does it contribute to effective and efficient working of the Council if there are insufficient Councillors to share the workload equitably; to provide a broad cross-section of skills and interests; or to achieve meeting quorums without difficulty, given that some absence is unavoidable at times.

1.3 Councillors elected by co-option are full members of the Council. Tarvin Parish Councillors are volunteers who receive no remuneration or allowances.

1.4 To ensure that a fair and transparent process is undertaken this policy sets out the process to be followed by Tarvin Parish Council when co-option is under consideration.

1.5 If a seat becomes vacant within six months of an election CWaC and the Parish Council may agree to leave the position vacant until the next election.

2. APPLICATION PROCESS TO BE FOLLOWED

2.1 On receipt of notification from the Electoral Officer at CWaC that a casual vacancy may be filled by means of co- option:

- a) The Parish Clerk will announce the vacancy or vacancies to be filled by co-option within 21 days of receipt of the written notification by means of displaying a Notice on the

Council Notice boards and website. A copy of the Notice may also be placed on the Council facebook page and forwarded to Tarvinonline.

b) The Co-option Notice will include the closing date of requests for consideration (between 14 and 30 days after the date of the display) and the number of vacancies.

2.2 Councillors may point out the vacancies and the process to any qualifying applicant(s).

2.3 Applicants are recommended to read the publication, “The Good Councillor Guide” which explains more about the role and the responsibilities of councillors – Copies are available from the Parish Clerk on request. Any questions should be raised with the Parish Clerk.

2.4 Applications will be considered at the next available full Council meeting. To ensure that applications are included on the agenda they should be sent to the Parish Clerk at least one week before the meeting (earlier if there are bank holidays).

2.5 Application letters should explain how the candidate is eligible and confirm that they are not disqualified (by completing the co-option application form (appendix 1)). Application letters should also explain why applicants are interested in applying and what they think they can bring to the role of Parish Councillor. Some topics that applicants might like to consider are shown in the table below, but please note that applicants are not expected to be able to demonstrate all of these competencies.

COMPETENCY	DEMONSTRATED BY:
Experience, Skills, Knowledge and Ability	We welcome people with a wide range of life skills and experience that reflects the local community. We are looking for councillors who can bring enthusiasm and commitment as well as some of the following: <ul style="list-style-type: none"> • Interest in local matters. • Knowledge and understanding of local affairs and the local community • Ability and willingness to represent the Council and their community. • Good interpersonal skills. • Ability to communicate succinctly and clearly . • Ability and willingness to work closely with other members and to maintain good working relationships with all members and staff. • Ability and willingness to work with the council’s partners (e.g. voluntary groups, other parish councils, principal authority, charities). • Ability and willingness to undertake relevant training.

Circumstances	<ul style="list-style-type: none"> • Ability and willingness to attend meetings of the Council (or the meetings of other local authorities and local bodies) in the evening and events in the evening and at weekends. • Flexible and committed to the Council. • Enthusiastic.
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2.6 If there are more candidates than vacancies the co-option will be decided by a ballot of the members. Voting will be according to the statutory requirements, in that, a successful candidate must have received an absolute majority vote of those present and voting. If there are more than two candidates for one vacancy and no one of them at the first count receives a majority over the aggregate votes given to the rest, steps must be taken to strike off the candidate with the least number of votes and the remainder must then be put to the vote again; this process must, if necessary, be repeated until an absolute majority is obtained.

2.7 Councillors shall vote by show of hands

2.8 On successful co-option applicants will be invited to sign a Declaration of Acceptance of Office before the following meeting which completes the process for joining the Council. Within 28 days of co-option, applicants are also required to complete a Register of Interests which will be provided by the Parish Clerk. The Clerk will forward the completed document to CWaC and it will be published on their website.

2.9 Applicants found to be offering inducements of any kind, at any stage in the co-option process, will be disqualified.

2.10 It is acceptable for any Councillor to contact an applicant to ask questions once Council has received an application and before the meeting when the application is considered. However it is unacceptable for a Councillor, or a group of Councillors to try to informally interview each candidate prior to that meeting.

Adopted by Council 27th September 2021

Appendix 1 Tarvin Parish Council

Co-option & Eligibility Application Form

Contact Details (Block Capitals please)

Name:

Address:

Postcode:

Email address:

Home Tel. No:

Mobile Tel. No:

Please attach a letter of application to this form which should explain why you are interested in applying and any relevant experience you think you can bring to the role of Parish Councillor.

Please inform us of any other information you would like to disclose regarding your application. (e.g. if you are related to an employee of the Council / would require assistance during Council meetings with a disability)

Councillor Eligibility

Please tick to confirm that the following applies to your application under point 1.

1. In order to be eligible for co-option as a Tarvin Parish Councillor you must be

a. a British subject, or a citizen of the Commonwealth or the European Union

b. 18 years of age or over on the 'relevant date' (i.e. the day on which you are co-opted).

Please confirm

You must additionally be able to meet **one** of the following qualifications, please tick all that apply:

I am registered as a local government elector for the parish of Tarvin;

I have, during the whole of the twelve months preceding the date of my co-option, occupied as owner or tenant, land or other premises in the parish of Tarvin;

My principal or only place of work during those twelve months has been in the parish of Tarvin; or

I have during the whole of the twelve months preceding the date of my co-option resided in the parish of Tarvin or within 3 miles of it.

2. Please note that under Section 80 of the Local Government Act 1972 a person is disqualified from being elected as a Local Councillor or being a member of a Local Council if he/she:

a) holds any paid office or employment of the local council or of a joint committee on which the Council is represented; **or**

b) is a person who has been adjudged bankrupt or has made a composition or arrangement with his/her creditors* (but see below);

or

c) has within five years before the day of co-option, or since his/her co-option, been convicted in the UK, Channel Islands or Isle of Man of any offence and has been sentenced to imprisonment (whether suspended or not) for not less than three months without the option of a fine;

or

d) is otherwise disqualified under Part III of the representation of the People Act 1983 for corrupt or illegal practices.

*This disqualification for bankruptcy ceases in the following circumstances:-

i. if the bankruptcy is annulled on the grounds that either the person ought not to have been adjudged bankrupt or that his/her debts have been fully discharged;

ii. if the person is discharged with a certificate that the bankruptcy was caused by misfortune without misconduct on his/her part;

iii. if the person is discharged without such a certificate.

In (i) and (ii) above, the disqualification ceases on the date of the annulment and discharge respectively. In (iii), it ceases on the expiry of five years from the date of discharge.

I (insert name) hereby confirm, that I am eligible to apply for the vacancy of Tarvin Parish Councillor, and the information given on this form is a true and accurate record.

Signed Dated

Please return your completed application form, together with your application letter to:

Mike Hassall, Parish Clerk
Tarvin Parish Council, Roy Cottage, Townfield Lane, Tarvin, Chester CH3 8EG or
clerk@tarvinparishcouncil.org.uk