

# PUDDINGTON PARISH COUNCIL

## MINUTES



### **Puddington ● Shotwick ● Woodbank ● Two Mills ● Shotwick Park**

**Minutes of the Annual Meeting of the Parish Council** held at the Gladstone Village Hall, Burton on Thursday 21 November 2019 at 7.30pm.

**Present:** Councillors Ian Speed, Martin Coar, Jenny Davies, Alison Raine, Joanne Ardern, Cathrina Moore, John Cadden and Mrs Pat Wells (Clerk). Appendix 2 lists those residents in attendance.

#### **19.81 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Joanna Brookes, Philip Brookes and Ward Councillor Simon Eardley.

#### **19.82 DECLARATION OF INTEREST**

Members were invited to declare any personal or prejudicial interests they may have in any item(s) on this agenda, subject to the rules regarding disclosure contained in the Members' Code of Conduct. **Councillors John Cadden and Joanne Ardern declared an interest in Item 3 in relation to Public Sewerage/Septic Tanks. However, as this is an Open Forum and no Planning Application had been submitted, Councillors took part in the discussion. Minute 19.83 below refers. Councillor Cathrina Moore declared an interest in Item 7. Minute 19.87 refers.**

#### **19.83 OPEN FORUM**

A period of 10 minutes is allocated before the Council meeting commences to allow residents to raise any matters of concern which they wish to bring to the Council's attention. In accordance with Standing Order 11.3 residents and other members of the public will not be permitted to speak or enter into debate during the Council meeting unless invited to do so by the Chairman, who will suspend Standing Orders for this purpose.

The Chairman Councillor Ian Speed tabled some important information from the Environment Agency in respect of septic tanks and small sewerage treatment plants. The meeting was reminded that there will be consequences for residents if septic tanks fail to comply with the General Binding Rules which come into force in January 2020.

Mr Peter Betts, a property developer, spoke about an enabling project he was seeking support for. Mr Betts' presentation is at Appendix 1. This relates to the installation of a sewage treatment plant in return for development of land and redundant farm buildings on the edge of the village. The number of dwellings depends on the size of the installation required for the "Dirty ditch" Properties, Racing Stables development and an unknown number of properties that might have a need due to the new General Binding Rules. The number of new properties suggested were anything from 5 to 14. Mr Betts acknowledged that significant support was required for the project to go ahead.

Questions and concerns were expressed by parishioners present. Including:

- i. Development of green belt
- ii. The need for this type of development
- iii. The ongoing cost of the project
- iv. Pressure on the village infrastructure
- v. Benefits v Disadvantages to the village

After a thorough 45 minute discussion the debate was closed. The Chair thanked Mr Betts and all residents for attending and asked that any feedback, additional questions or requests for information be directed to the Clerk via the e mail: **communitypuddingtonpc@gmail.com**

#### **19.84 MINUTES AND MATTERS ARISING**

The Minutes of the meeting of the Parish Council meeting held on **19 September 2019** were confirmed as a correct record and duly signed.

## 19.85 FINANCE

(1) **Payments:** The payment of the following salaries/wages and expenses and invoices for goods received and services rendered were **APPROVED:**

Cheque No	Description	Amount £
S/O	Parish Clerk October	227.93
300370	Scottish Power	19.15
300371	HMRC Income Tax July – September 2019	170.94
300372	Mrs P Wells Parish Clerk Expenses October – November 2019	15.40
S/O	Parish Clerk November Salary	227.93

(2) **Receipts:** To note any receipts: **NONE**

(3) **2019-20 Bank Reconciliation:** It was **NOTED** that the Parish Council's bank balance as at **28 October 2019** was **£7342.05**. A second report showing the actual expenditure to date compared with the agreed budget at the end of October projected to the year end, was also circulated. The report states that the Parish Council's expenditure is largely on target and that after funding the remaining projected expenditure for 2019-20, it is predicted that the Precept will be spent in full by the year end. It is estimated that the Council will have approximately **£5,080** in reserve at year end.

## 19.86 PLANNING

(1) **Planning Committee:** Councillor Alison Raine reported that the Planning Committee had met on Thursday 17 October and again on 21 November before the Full Parish Council meeting. It was **NOTED** that the Planning Committee had reviewed the current position in respect of outstanding Planning Applications. Councillor Raine updated on two emerging issues in respect of the Enforcement Investigations at The Croft, Puddington and the Horse Riding Trainer, Shotwick Village. It was **ALSO NOTED** that the Planning Committee concluded the proposal at Riverslea for the erection of a stable block was in keeping with the fabric of the village and the size was commensurate with the area available to develop. The Planning Committee minutes also refer.

(2) **To note any decisions taken since the last meeting:**

19/01611/FUL	Change of use of land and building from B1 Light Industrial/B8 Storage & Distribution to A3 Restaurants & café with associated building works <b>RETROSPECTIVE. Following discussion at Planning Committee on 20 June 2019 it was agreed the Planning Committee had no objection to make. However, in responding to CWAC, it was also agreed that more accurate descriptions of applications would be helpful to inform the consultation process. APPLICATION REFUSED 3 OCTOBER 2019</b>
19/03353/S73	Variation of Condition 2 (plans) of 16/01451/FUL change from existing to a timber garden room with upvc windows and doors with storage shed to the rear. At the White House, Puddington Lane CH64 5SR. <b>APPLICATION APPROVED 24 OCTOBER 2019</b>
19/03474/CAT	Felling of Oak due to health & safety of the neighbours & saturated ground. To replace with Oak 20m away on higher ground. <b>NOTIFICATION CLOSED 29 OCTOBER 2019.</b>

(3) **Applications considered by Council but Awaiting Decision: No decision had yet been made on the following:**

19/00220/EOPDEV	Temporary Horse Riding enclosure. Land at Grid ref 33363725 Shotwick Lane, Shotwick. <b>NOTE: ON MONDAY 25 NOVEMBER THE ENFORCEMENT OFFICER, CWAC E MAILED TO CONFIRM THAT THE INVESTIGATION AND CASE HAD BEEN CLOSED.</b>
19/02337/FUL	Single storey rear two storey front & first floor extension at Heath Hey, Puddington Lane, CH64 5SL.
19/02329/FUL	Single storey rear/side extension & conversion of shippon to granny annexe at Blue Haze, Shotwick-Frodsham Road.
19/03494/FUL	Demolition of existing dwelling house & erection of replacement dwelling. At Park Farm, Woodbank CH1 6JD

(4) **Applications received but not yet considered by the Planning Committee and Parish Council:**

19/04018/FUL	Erection of stable block at Riverslea, Puddington Lane, Puddington, CH64
--------------	--

(5) **Planning issues an awareness session:** It was **NOTED** that Rob Charnley, Planning Officer will be attending the Planning Committee scheduled for 12 December 2019

in response to the Committee's request for an update on planning issues, the consultation process and where appropriate, feedback on CWAC decisions. This to ensure discussions are focused on relevant planning criteria and to inform decision making. It was **AGREED** that **ALL** Councillors would make every effort to attend this session. It was **ALSO AGREED** that Councillors would provide examples and case studies in order for the Clerk to draft an agenda in order to direct the meeting and make the best use of time.

#### **19.87 PARISH COUNCIL WEBSITE**

The Parish Council **NOTED** that the Parish Council website had "**disappeared**". Despite many hours of phone calls and e mails with WIX.COM, the Parish Clerk had exhausted every possibility in an attempt to recover and restore the site but to no avail. The experience had left the Parish Clerk with serious concerns about the integrity of the WIX.COM Support Specialists and their willingness/ability to resolve the problem. The Parish Clerk tabled a paper setting out a series of options and quotations (attached at Appendix 3). Following consideration and discussion it was **AGREED** that the Parish Council would "walk" away from the WIX.COM arrangement and develop a new site with a different provider namely Option 1:Myles Corbett. It was also **AGREED** that the Parish Clerk would contact Mr Corbett to discuss the appearance, format and style of the website and the timetable for the build and launch.

#### **19.88 HIGHWAYS & PROW**

**(i) Puddington Village Green Cobbles:** The Parish Council **NOTED** that CWAC had further investigated the cobbles and concluded that there had been no recent highway work near or around the Green that would affect the cobbles. Therefore CWAC are unable to contribute to the cost of repairs. CWAC are however, able to assist in recommending funding sources, suitable contractors and estimated costs. The Parish Council expressed its frustration that this issue remains. It was **AGREED** the Clerk would contact Northwich Town Council Services to set up a meeting to discuss the quote to repair the cobbles. It was **ALSO AGREED** to carry forward the item to the January meeting and that Ward Councillor Simon Eardley would be asked for his advice on how to proceed in this matter.

**(ii) Puddington Lane Footpath:** The Parish Council **NOTED** that in October, a resident had contacted CWAC logging the issue of the condition and accessibility of the footpath on Puddington Lane from Chapel House Lane. In response, CWAC inspected the path and found no defects and also found that the hedges (which are the responsibility of landowners) had been cut on the day of the inspection.

**(iii) Data from Black boxes:** It was **NOTED** that Dave Reeves had updated on the latest position in respect of the Black Box Data Analysis Exercise:

1. Average speed recorded during the 20mph assessment near to Red Gables was 25.6mph which is above the criteria of 24mph to be included in the programme. The criteria for a signed "only 20 mph" is that the average speed must be below 24 mph.

2. The survey also showed that 85% of vehicles were travelling below 32pmh. In addition, Speed limits are not used to tackle issues of speeding, this is done through engineering measures. To ensure compliance with a 20 mph limit traffic calming would be required which is not in the remit of the programme. It was **AGREED** to carry forward the item to the January meeting and that Ward Councillor Simon Eardley would be asked for his advice on how to proceed in this matter.

**(iv) Daffodil bulbs for planting:** It was **AGREED** that once the bulbs have been delivered, Councillors would split the bags between themselves and arrange planting throughout the parish. The Clerk would **NOTIFY** Ward Councillor Eardley to that effect.

#### **19.89 PARISH COUNCIL NEWSLETTER**

It was **AGREED** to defer the item until the January meeting.

#### **19.90 GENERAL ELECTION**

The Parish Council **NOTED** the CWAC Member Briefing Note and in particular the impact that the General Election on 12 December will have on the way CWAC conducts its business during that period.

**19.91 PLAY YOUR PART: Engagement on the Council Plan 2020-24**

The Parish Council **NOTED** the Member Briefing setting out the process for CWAC consulting on the Council Plan for 2020-24 and budget setting for 2020-21. The Parish Council **ALSO NOTED** that due to the General Election the consultation and Play You Part Engagement on the Plan and the Budget will be scaled back.

**19.92 ChALC TRAINING CALENDAR 2020**

The Parish Council **NOTED** that ChALC had published its training programme for 2020. Whilst some sessions may be free others are typically £35 for the session. A review of training needs would be undertaken in the New Year.

**19.93 URGENT BUSINESS**

In accordance with Standing Order 6(21) the Chairman may rule that an item(s) of business should be considered as a matter of urgency if it cannot await the next scheduled meeting of the Parish Council.

**(i) Parish Clerk Retirement:** It was **NOTED** that the Parish Clerk stated her intention to retire from the position of Clerk and Responsible Financial Officer with effect from 31 March 2020. It was **AGREED** that the post would be advertised with ChALC, CWAC and on the Parish Council Notice Boards.. It was **ALSO AGREED** that the Chairman would set up a recruitment panel to review the job description and salary scales to ensure that terms and conditions are relevant and up to date. The panel will also conduct interviews and finalise the appointment. The Clerk would remain in post until a new Clerk had been appointed although there would need to be an end date.

**19.94 DATE AND TIME OF NEXT MEETING**

To suggest items for the next meeting which will be held on **Thursday 23 January 2020 at 7.30pm at the Gladstone Village Hall, Burton.**

**NOTE: Planning Committee:** The next Planning Committee is scheduled for **Thursday 12 December 2019. Parish Councillors are reminded that Rob Charnley, Planning Officer will be attending to lead a Planning training session.**

**Signed:-----**

**Chair**

**23 January 2020**

Set out below is a more comprehensive explanation of Enabling Development followed by Peter Betts's address to the Council.

### **Enabling Development**

The concept of Enabling Development was established by Historic England around 20 years ago. It proposes that development that would otherwise be unacceptable in planning terms be permitted if it would bring sufficient public benefit to justify it being allowed, and which could not otherwise be achieved.

It has been used in many cases to fund the restoration of historic and listed buildings. In these examples, as with the restoration of Burton Manor and the accompanying Enabling Development, it has been shown that the benefit to the public justifies the deviation from normal planning policy without setting a planning precedent. In such cases a 'Conservation Deficit' is established, that is the sum that is required to restore the historic asset, and the minimal amount of development is then permitted that will raise that 'Conservation Deficit'.

In more recent years the principle of Enabling Development has been used by other bodies to raise funds for community projects that could not otherwise be achieved and whose benefit has justified deviation from normal planning policy. In such cases a 'Project Deficit' is established to fund the proposed scheme for the public benefit and the minimal development is then allowed to cover this deficit.

A sports club on the Wirral was granted planning approval by Wirral planning authority to build houses on sports fields, contrary to planning policy, with the development 'enabling' the creation of a community building and enhanced sports facilities for the club.

We propose that the provision of a sewage treatment works, parking provision and other improvements proposed, is a project that could not otherwise be achieved and justifies the development of the farm buildings at Old Hall Farm. The cost of the sewage treatment plant and associated drainage works would be the 'Project Deficit', we would then propose the minimum level of development to cover this deficit. The full costings for the proposal would be fully scrutinised by Cheshire West planning department.

This is a one off opportunity for Puddington residents to enable the cleaning up of the 'Dirty Ditch' and to comply with the General Binding Rules which will otherwise be a serious issue for many residents with wide reaching consequences.

Good Evening

Thank you for inviting me to address the meeting and present our proposals. I am Peter Betts a builder and developer.

Over the last 30 years we have redeveloped sites and existing buildings throughout the Wirral and West Cheshire.

We have assembled a team who have particular expertise in the renovation and conversion of listed and historic buildings.

Our approach is to work with local communities to find a solution for a site that has local support, very much developing with the consent of the local community.

We are currently nearing the completion of the restoration of Burton Manor and will shortly commence construction of the 16 new homes that have funded that restoration.

At each stage of the development we have worked with the local community, resulting in more letters of support for our planning application than objections.

We enjoy a positive relationship with Michael Redmond, Chairman, and members of the Residents Association and most local residents. We have a site visit booked in early December for the Head of Planning to show members of the Planning Committee the tremendous improvements to the Manor.

We have completed the restoration and conversion of barns and buildings in Parkgate,

Moving on to why I am here this evening.

On two previous occasions, in 1998 and 2010, we looked at the possibility of converting the barns at Old Hall Farm to residential use.

In addition, over a number of years I have been working to seek a solution for the drainage issues in Puddington, in particular the smells and pollution emanating from the 'Dirty Ditch'. I now see an opportunity to link these projects.

The Dirty Ditch is the watercourse flowing from the rear of the Racing Stables at the bottom of Earles Way to the main river at Shotwick Brook West. It picks up the septic tank outfalls from the Puddington XI and other properties around Puddington.

The outfall from the vast majority of septic tanks do not meet the new regulations introduced by the Environment Agency in 2015. The result being that raw sewage is discharged into the Dirty Ditch.

These new regulations already require compliance at the point of a sale or transfer of a property and in any event by January 2020. The Environment Agency has the power to take enforcement action from January.

More critically, most mortgage lenders will not lend on a property that does not comply. Sellers have overcome this in the last couple of years by agreeing retentions until the matter is resolved, but come January this is unlikely to be acceptable, rendering many properties unsaleable until they comply.

We are affected by this issue at the Racing Stables.

We can install our own single Klargestor type system, but the property would still be compromised by the pollution and smells to the rear.

Rather than go down a single property solution we have suspended work until we have explored the potential of a village wide solution.

The solution:

At Burton Manor we adopted a planning principle of "Enabling Development", achieving planning approval for the building of new homes to fund the restoration of the Manor.

It enabled a building to be saved that would not otherwise be economically viable, and Liverpool City Council accepted a lower price than had been anticipated. The balance sheet for the enabling development was rigorously scrutinised by Cheshire West.

We would like to take the same approach to provide a solution to the drainage issues in Puddington.

We can build a sewage treatment works for the village, well away from the village on a site already approved by the Environment Agency which would be sufficient for most households.

We have proposed this previously but, despite considerable discussions, agreement has not been reached as to how payment should be apportioned.

The funding therefore is clearly the main obstacle.

We have therefore approached the owner of Old Hall Farm, and the land on which the proposed treatment works would be built.

The development of the farmyard would fund the cost of the construction of sewage treatment in order for all properties to comply with the new regulations.

In addition to the sewage treatment works there would be further planning gains for the village, first proposed in 1998, but now deliverable as part of this project. They are shown on our sketch plan and include;

1. Additional garden areas to some of the properties adjacent to the site, which currently have no rear gardens, could be made available.
2. All the farm buildings on Old Hall Farmyard would be removed.
3. Parking area could be provided for up to 23 cars to relieve congestion in Village Lane and the cul de sac, and it would also create a turning area for service vehicles.
4. Drains would be provided to alleviate the flooding that we understand occurs at the end of the cul de sac.
5. An area of land would be available for the village as open parkland, to be managed by the Parish Council. The maintenance to be funded by a management charge from the new properties. There would be no financial burden on the Council

6. The whole area would be improved and maintained.
7. The off street parking would transform the lane and provide access to emergency services at all times.
8. Connection of all properties to the new and modern treatment facilities would be free of charge.
9. Access for the new development would be via the original route to Puddington Hall.  
We would also propose that the two courtyards we earlier developed could also use this route, if they so wished.  
This would relieve traffic on Village Lane and enhance all of the properties.

Essentially, an enabling residential development scheme would be undertaken to facilitate and fund the sewage treatment works.

We would propose to work with Donald Insall Associates, one of the country's leading conservation architects to prepare a full scheme for further consultation.

Before committing to this significant investment we would of course wish to know the level of support that we could expect from local residents.

This is a special opportunity for an area of redundant farm buildings to be redeveloped, and at the same time provide an exceptional benefit to the community.

We as developers will obviously be looking to make a profit, but this will be restricted to that allowed by the principle of Enabling Development with full financial proposals having to be approved by the planning authority.

I hope we can count on your support.

Thank you

**ATTENDEES: OPEN FORUM**

**APPENDIX 2**

**D SEPHTON  
C S LAPPINS  
R H LAPPINS  
CHRISTINE CADDEN  
ANGELA MCNAMEE  
GILL KAYE  
IOLA WILLIAMS  
TED BRABIN  
JEREMY KAYE  
DAVID PYLE  
JENNY SNEDDON  
LYNDA GILLING – SMITH  
GAIL M FULTON  
WILLIAM FULTON**

## WEBSITE

## APPENDIX 3

**DOMAIN NAME:** 123REG annual fee approx. £8.00 via Gill Kaye

**OPTIONS:**

1. Engage a website “developer/builder” to design and build:

**OPTION 1: Quote**

Myles Corbett: Cost of building the website: £500; Cost of hosting , IT support and software updates: £130 per annum

**OPTION 2: Quote**

Peter Fryer: Cost of building the website: £100; Cost of hosting , IT support and software updates: £25 per month or £300 per annum

**OPTION 3: Quote**

On-line website developer software i.e. 123REG who host. PW to design & build. Given problems with WIX pay an annual fee/plan for upgrades & IT support. Faceless. Costs range from:

- (i) £29.94 for 1 year, then £59.88
- (ii) £59.94 for 1 year, then £119.88
- (iii) £120.52 for 1 year, then £179.88

## **2. PAGES**

**(i) HOME**

Buttons: PARISH COUNCIL  
FINANCE  
TRANSPARENCY CODE  
HIGHWAYS/PROW  
PLANNING  
GDPR  
COMMUNITY SERVICES  
HISTORY

Text: INTRODUCTION TO PARISH  
DISTRICTS: Puddington, Shotwick, Woodbank, Two Mills, Shotwick Park

CONTACT DETAILS: Parish Clerk, CWAC

STOP PRESS

NEXT MEETING

**(ii) PARISH COUNCIL**

Buttons (as above)

Text: Role & responsibilities : What is a Parish Council  
Agenda & Minutes  
Calendar of Meetings  
Nature of business  
Public Open Forum

**(iii) COUNCILLORS**

Buttons (as above)

Text: Photographs  
Contact Details  
Responsibilities i.e. Chair

**(iv) AGENDAS**

Buttons (as above)

Text: Preamble: Items, when published, supporting documents. Contact Clerk for earlier years.  
Buttons Current Year: Months in buttons i.e. Sept 2019; November 2019  
Buttons Previous years: 2018-19 & 2017-18. Earlier years available via Parish Clerk

**(v) MINUTES**

Buttons (as above)

Text: Preamble: when published, signed off. Contact Clerk for earlier years  
Buttons Current Year: Months in buttons i.e. Sept 2019; November 2019

**(vi) FINANCE**

Buttons (as above)

Text: Preamble: Annual Budget & Precept; Monthly reconciliation & projected outturn  
Bank Reconciliation  
Internal Audit  
External Audit  
Approving Expenditure  
Receipts

**(vii) PLANNING**

Buttons (as above)

Text: Preamble: Role of CWAC Planning, applications, consultation process, enforcement  
Planning Committee: schedule of meetings, Agendas, Minutes

Links to CWAC Planning portal & Simple Search

Buttons Schedule of Planning Applications 2019; 2018; 2017

**(viii) TRANSPARENCY CODE**

Buttons (as above)

Text: Preamble: Legislation relating to TC

Bullet Points: Expenditure >£100; Accounting Statement; IA report; Councillors responsibilities; Transparency Code legal document, Fixed Asst Register

Policies & Regulations: Standing orders; Financial Regulations; Code of Conduct;

Freedom of Information; Equal Opportunities; Environment Policy; Complaints Procedure;

Website Policy

**(ix) HIGHWAYS, PROW & REFUSE COLLECTION/DISPOSAL**

Buttons (as above)

Text: Preamble: Description of Parish, major roads, district issues  
CWAC contact details

**(x) HISTORY OF PUDDINGTON PARISH**

Buttons (as above)

Preamble: Districts which make up the Parish; Puddington, Gibbet Mill; Shotwick Church, etc

**PAT WELLS**

**Clerk**

**Puddington Parish Council**

**21 November 2019**