

STAPELEY & DISTRICT PARISH COUNCIL

Clerk: Carol Jones

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NOTICE ANNUAL MEETING OF THE PARISH COUNCIL

Parish Councillors are summoned to a meeting to be held on:

DATE: THURSDAY, 8 MAY 2014

**TIME: 7.15 PM OR ON THE LATER RISING OF THE
ANNUAL PARISH MEETING**

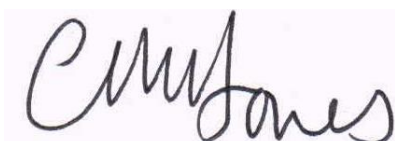
**VENUE: STAPELEY COMMUNITY HALL, PEAR TREE FIELD
STAPELEY**

Enquiries to:

Clerk: Carol Jones

Tel: 01270 812065


Date of issue: 30 April 2014



Signed

To: Members of the Parish Council
Councillors Shaun Clough, Mike Docker, John Davenport, Sandy Gwinn-Freemantle
Peter Groves, Jo Hillman, Keith Lawrence, Martin Malbon, Keith Nord and
Matthew Theobald

Copies: Borough Councillors Peter Groves and Andrew Martin (Nantwich South and Stapeley)
Press: Nantwich Chronicle, Nantwich News



Note: Members of the public are asked to print their own copy of the agenda from the website. Members of the public without access to the Internet are asked to contact the Clerk by no later than noon on the day of the meeting to ensure that sufficient spare copies of the agenda are available.

Re-issued 3 May 2014

NOTES:

1 PUBLIC SPEAKING PROTOCOL:

This Parish Council meets and makes its decisions in public. A Parish Council meeting is not a public meeting. It is a meeting held in public and there is no requirement in law which allows members of the public to speak at such meetings. However, the Council is pleased to offer this opportunity to local registered electors to show that it is committed to community engagement.

Please respect the fact that this is a meeting to conduct Parish Council business and interruptions during the meeting are not permitted. If the business is disrupted in any way, the person(s) causing the disruption may be asked to leave.

- Public question time will be for a period of 10 minutes. Any member of the public wishing to speak should notify the Clerk prior to the start of the meeting. As a courtesy, it would be appreciated if 24 hours' notice could be provided.
- The agenda stipulates that public question time will take place following approval of the Minutes and discussion of any Matters Arising. There is a second Public Question Time slot towards the end of the meeting. The period of Public Question Time can be extended at the discretion of the Chairman.
- Members of the public are permitted to ask questions in respect of items on the agenda or any other business of the Parish Council. Questions asked at previous meetings should not be raised within a 6-month period.
- The matter may be addressed immediately; the Chairman or the Clerk will respond to questions. If it is not possible to give a response, a written response can be provided, if appropriate.
- Supplementary questions or comments are only permitted at the sole discretion of the Chairman.
- Members of the public are also able to "address" the Parish Council, ie make a statement, which should also relate to the business of the Parish Council.
- If more than one speaker wishes to speak on the same agenda item, the Chairman shall have discretion to disregard any questions or comments if they are a repetition of those of a previous speaker.
- It is not a good use of the Parish Council's time for members of the public to raise issues about hedges, street lights, pot-holes and so forth during public question time. Such matters should be reported direct to the Borough Council either by phone or using its on-line system of reporting faults. Alternatively, please contact the Clerk who can take action, or report matters as appropriate.

2 MEETINGS:

2.1 When the meeting is held at Broad Lane Methodist Chapel, car parking is available at the rear of the Chapel. Alternatively, you can park in front of the Chapel on Audlem Road. On occasions, members of the press and public will be excluded from the meeting when the business to be transacted is of a confidential nature; for example, matters likely to reveal the identity of an individual, contracts and financial affairs of other parties.

2.2 The Parish Council cannot lawfully decide any matter which has not been specifically included on the agenda, and there is case law to this effect (*Longfield Parish Council v Wright (1918) 88 LJ Ch 119*).

2.3 **Planning Grounds** The grounds on which comments can be made on planning applications are as follows –

- | | | | |
|---|--|----|---|
| 1 | Development Plan in all its aspects | 8 | Appropriateness of use taking account of local area |
| 2 | Government legislation and guidance (PPG) | 9 | Effect on highway safety and parking |
| 3 | Siting | 10 | Landscape |
| 4 | Design | 11 | Listed buildings |
| 5 | External appearance | 12 | Conservation areas |
| 6 | Compatibility with street-scene | 13 | Land contamination |
| 7 | Development affect on neighbouring properties, amenities and privacy | 14 | Flooding |

Non-Relevant Matters

- | | | | |
|---|---|---|---|
| 1 | Matters controlled by other legislation | 6 | Business competition |
| 2 | Effects on private rights | 7 | Personal circumstances – health/finance |
| 3 | Provisions in covenants/deeds | 8 | Ownership |
| 4 | Effect on property values | 9 | Moral issues |
| 5 | Private opinions | | |

Note: If the Parish Council agrees, in principle, with an application, but not in all aspects, suggestions for development conditions can be made, in line with relevant factors.

AGENDA

This agenda is divided into three parts.

PART 1 is taken in the presence of the press and public and represents the business of the annual meeting of the Parish Council, as set out in Standing Orders;

PART 2 represents ordinary business of the Parish Council and is dealt with at this meeting in the interests of expediency; and

PART 3 is recommended for consideration in the absence of the press and public for the reasons given.

PART 1

GUIDE TIMES

7.15 PM – 7.25 PM

1 ELECTION OF CHAIRMAN

1.1 To elect a Chairman to serve until the Annual Meeting in 2015. The Chairman will call for nominations.

1.2 The Chairman will sign a Declaration of Acceptance of Office, following which the newly-elected Chairman will chair the meeting.

2 ELECTION OF VICE-CHAIRMAN

There is no legal requirement to elect a Vice-Chairman. Members might wish to agree that in the absence of the Chairman, a chairman for the meeting could be elected on each occasion, as necessary. This would be an opportunity for all Members to share the experience.

3 APOLOGIES FOR ABSENCE

Apologies for absence should be notified to the Clerk by noon on the day of the meeting, if possible. **Councillors M Docker and K Nord.**

4 DECLARATION OF INTERESTS

Members to declare any disclosable pecuniary interest or non-pecuniary interest which they have in any item of business on the agenda, the nature of that interest, and in respect of disclosable interests, to leave the meeting prior to the discussion of that item.

Whilst the Clerk can advise on the Code of Conduct and its interpretation, the decision to declare, or not, is the responsibility of the Parish Councillor, based on the particular circumstances.

5 MINUTES

5.1 To approve as a correct record the Minutes of the Meeting held on 3 April 2014. (Previously distributed)

5.2 To receive the Minutes of the Annual Meeting held on 9 May 2013. These were approved at the June 2013 meeting. ...

6 PROTOCOLS/POLICIES

6.1 The Parish Council is invited to adopt the following policies/protocols.

a. Bullying/Harassment Policy ...

The following two procedures are the model documents. If approved, these will be edited to reflect that that they are Parish Council documents.

c. Grievance Procedure ...

e. Disciplinary Procedure ...

7 COMMUNICATIONS PROTOCOL (incorporating SOCIAL MEDIA GUIDANCE)

The enclosed Communications Protocol has been updated and incorporates guidance on the use of social media. This will be subject to change when the Cheshire Association of Local Councils has formulated and published its own Social Media Policy for use throughout Cheshire. ...

8 REVIEW OF DELEGATION ARRANGEMENTS (COMMITTEES)

In accordance with S.101 of the Local Government Act 1972, the Parish Council is able to delegate any of its functions (subject to one exception) to a Committee or Sub-Committee. Notwithstanding that a delegation is authorised, the Council is still able to perform any functions which it has delegated to a Committee.

8.1 Standing Committees

The following are the standing Committees and the Parish Council is asked to appoint Members to each. It is suggested that the appointments be made, but in view of the increased workload of the Parish Council in the last two years, much of the work will, of necessity, be dealt with at ordinary Parish Council meetings.

(1) Communications Committee

Four Members and one named substitute. The Parish Council is invited to increase this to five Members, or reduce it to three with a named substitute.

(2) Finance and Grants Committee

Four Members. The Parish Council is invited to increase this to five Members.

(3) Appointments Committee (Community Hall)

Four Members. The Parish Council is invited to increase this to five Members, or reduce it to three with a named substitute.

(4) Complaints Committee

Four Members. The Parish Council is invited to increase this to five Members, or reduce it to three with a named substitute.

8.2 Community Hall Committee

To consider setting up a Community Hall Committee, with the following Terms of Reference, to enable decisions to be taken in between Parish Council meetings if necessary.

- (a) Membership: To comprise up to five parish councillors (but no fewer than three);
- (b) Purpose: To deal with all matters in relation to the management of the community hall;
- (c) Quorum: The quorum shall be three parish councillors;
- (d) Finance: The Committee shall make recommendations to the Parish Council in respect of any spending required for the purchase of items in excess of £1,000. For items costing less than £1,000, the Committee shall have delegated authority to approve expenditure, subject to the Clerk's submission of three quotations for the work/goods/services, in accordance with Financial Regulations.

- (e) Number of meetings: as and when required;
- (f) The Committee shall operate in accordance with the Parish Council's Standing Orders.

9 APPOINTMENT TO OUTSIDE BODIES

The Parish Council is invited to appoint a representative(s) to the following outside bodies. Attendance at such meetings shall count as an approved duty and expenses may be claimed in accordance with the Parish Council's Members Expenses Scheme.

- Cheshire Association of Local Councils (various meetings)
There are several meetings throughout the year and it suggested that one parish councillor be appointed, with one named substitute
- Police Cluster meetings (one)
- Nomination of community trustees to Wybunbury United Charities (WUC)
The current members are Mike Docker and Keith Lawrence.
No official communication has yet been received from the Secretary of WUC.

Note: The Local Area Partnerships (LAPs) are being disbanded and Sharon Angus-Crawshaw's role (as Nantwich LAP Manager) is being amalgamated with the CEC Community Partnerships Team. The new arrangements are expected to be in place by the end of May.

10 REVIEW OF RISK MANAGEMENT ARRANGEMENTS

The Council is required to review its risk management arrangements once a year. A schedule is enclosed for consideration and approval subject to any amendments which Members might wish to make. ...

11 CALENDAR OF MEETINGS

To approve a calendar of meetings for the year 2014-2015. ...

8.10 PM – 8.30 PM

12 FINANCIAL MATTERS

12.1 End-of-Year Accounts (2013-2014)

To approve the accounts for the year ended 31 March 2014. The audit has been called for 30 June 2014 by BDO LLP.

For Members' information, the accounts comprise the following:

- Annual Return (copies of Sections 1 and 2 enclosed)

The Parish Council is asked to approve the accounts and to acknowledge its responsibility for ensuring a sound system of internal control. Although the Chairman would normally sign Sections 1 and 2 on behalf of the Parish Council at this meeting, the accounts are currently being audited by the Internal Auditor and will not be available until 12 May. Members are asked to approve the return, as enclosed, and to authorise the Chairman to sign it at the earliest opportunity ready for the external audit.

- Balance sheet to 31 March 2014 enclosed
- Accounts ledger showing receipts and payments
This is separate into two separate schedules (1) Income; and enclosed
(2) Expenditure.
- Budget proposals report showing the process by which the precept was agreed (as submitted to the Council meeting in January 2013).

- Explanation of variances.
Members are asked to note that the Parish Council has been randomly selected to receive an intermediate audit questionnaire as part of a 5% sample of basic audit. The enclosed “Supporting Notes for Audit” give the details of the documents requested by BDO LLP. enclosed

The report of the Internal Auditor is required; the Parish Council will receive this at its June meeting and it can, in turn, be provided to BDO LLP.

- Assets Register
- Risk Management schedule
- VAT Re-claim evidence (none submitted in 2013-2014)
- Standing Orders and Financial Regulations
- Insurance documentation

12.2 Appointment of Internal Auditor – 2014-2015

It is a requirement that the Internal Auditor be specifically appointed annually by the Parish Council. Members will note from the supporting documentation in item 13.1 above, that this was not carried out during the year 2013-2014. To avoid criticism next year, the Parish Council is asked to re-appoint JDH Business Services as its Internal Auditor for the year 2014-2015.

12.3 Authorisation of Payments

The Parish Council is asked to authorise the following payments:

£168.08	HM Revenue and Customs – tax on Clerk’s salary
(Note: The end of the tax year has now concluded and CVS Cheshire East is currently carrying out a reconciliation of payments. There may need to be an adjustment to this figure.)	
£250.00	Chairman’s allowance (S.15(5) of the Local Government Act 1972)
£400.00	Crystal Clean – cleaning of the community hall.
£78.88	Mrs C M Jones – 50% of the cost of stationery purchases

12.4 Community Hall – Repair of Vandalised Electrical Lighting

As a result of recent vandalism at the community hall, a local electrician who has previously carried out electrical work at the community hall, was called out to effect emergency repairs. The damage was more extensive than originally envisaged and the following work is required:

- Install three new outside lights to match existing
- Replace broken photo-cell sensor

Lights and sensor will be IP rated and all have BSEN approvals.

Labour and materials costs £245.00.

In accordance with the Financial Regulations, the Parish Council is responsible for obtaining value-for-money at all times. Regulation 10.3 states “*The Clerk/RFO issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any de minimis provisions....*”

Regulation 11 (g) states “*When it is intended to enter into a contract [...] where the value is below £1,000 and above £500 the Clerk/RFO shall strive to obtain three estimates; otherwise*”.

As the value of the contract is less than £500 and the contractor has previously undertaken satisfactory electrical work at the community hall, the Parish Council is recommended to accept the quotation.

PART 2

8.30 PM – 8.40 PM

The following items are the ordinary business of the Parish Council and have been included on the agenda for this meeting in the interests of expediency.

13 PUBLIC QUESTION TIME (10 MINUTES)

In accordance with the Parish Council's Standing Order No.1, members of the public are able to submit a question, either in writing prior to the meeting, or orally at the meeting, or to make a statement. Please see page 2 of the agenda "Public Speaking Protocol".

There should be no discussion on any matter raised by questions. If possible, a response shall be given at the meeting; otherwise a written response will be provided to the questioner.

14 COMMUNITY HALL – PROGRESS ON APPOINTMENT OF CARETAKER

On 30 April 2014, the Appointments Committee is expected to appoint a Caretaker for the community hall, and will report the outcome to the meeting.

8.40 PM – 9.00 PM

15 PLANNING MATTERS

The Parish Council is invited to submit observations on the following planning application. As this is an application for over 10 dwellings, a hard copy of the application will be available for inspection at the meeting.

14/1975N – Land off Wrens Close, Nantwich

Full planning permission for 11 dwellings including access and associated infrastructure (re-submission of 13/4904N)

16 CHESHIRE EAST BOROUGH COUNCILLORS' REPORTS

Borough Councillors Groves and Martin to report on any Cheshire East matters which may be of interest to the Parish Council.

17 CORRESPONDENCE

To report items of correspondence received since the last meeting.

18 PUBLIC QUESTION TIME

This is a further opportunity for members of the public to ask a question or address the Parish Council.

19 SHARED ITEMS

Members who represent the Parish Council on outside bodies are invited to share information in respect of any activities of those bodies.

Members are also able to request the inclusion of items on the agenda for the next meeting but these can be raised outside the meeting by contacting the Clerk at least 7 clear days before a meeting. When framing motions, Members are asked to set out the purpose of the item, the matters to be taken into account and the decision required.

9.40 PM – 10.15 PM

20 EXCLUSION OF PRESS AND PUBLIC

In accordance with Paragraph 1 (2) of The Public Bodies (Admission to Meetings) Act 1960, the Parish Council is invited to **RESOLVE** that the press and public be excluded from the meeting during consideration of the following items owing to the confidential nature of the business to be transacted and the public interest would not be served in disclosing that information.

PART 3

21 FREE-STANDING SIGNAGE – COMMUNITY HALL

(If quotations have been received, this item should be discussed in the absence of the press and public on the basis that the information to be considered is commercially sensitive. If the only information received is a broad indication of costs, the matter can be discussed in the presence of the press and public.)

The Clerk will report in respect of quotations/estimates for the provision of a “Stapeley Community Hall” sign for location outside the community hall.

22 STAFFING

(This item relates to employment matters and is not, therefore, appropriate for discussion in the open meeting.)

To discuss any matters associated with the appointment of a Caretaker for the community hall, which cannot be discussed in Part 2 of the meeting.

23 COMMUNITY HALL LEASE

(Reason for exclusion: legal professional privilege.)

The Clerk to update the Parish Council.