



# STAPELEY & DISTRICT PARISH COUNCIL

Clerk: Carol Jones

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Parish Councillors are summoned to a

## MEETING OF THE PARISH COUNCIL

**DATE:** MONDAY, 16 DECEMBER 2019

**TIME:** 7.30 pm

**VENUE:** STAPELEY COMMUNITY HALL  
PEAR TREE FIELD, STAPELEY, CW5 7GZ

Enquiries to: Clerk: Carol Jones

Phone: 01270 812065  
Issue date: 11 December 2019

Signed

*C M Jones*

To: Members of the Parish Council  
Councillors Matthew Theobald (Chairman), Elizabeth Boughey, Mike Docker,  
John Davenport, Stephen Ford, Peter Groves, Georgina Gwinn, Sandy Gwinn-  
Freemantle, Jo Hillman and Keith Nord

Copies: Borough Councillors Peter Groves and Andrew Martin (Nantwich South and Stapeley)

**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 spare copies of the agenda are available.

# A G E N D A

## 1 APOLOGIES

Apologies for absence should be notified to the Clerk as soon as reasonably practicable but prior to the meeting.

## 2 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 circumstances.

## 3 MINUTES

To approve as a correct record, the Minutes of the Meeting held on 18 November 2019.

## 4 PUBLIC QUESTION TIME

In accordance with the Parish Council's Standing Order No. 1, members of the public can submit a question, either in writing prior to the meeting, or orally at the meeting, or make a statement.

Each member of the public is entitled to ask **one question or make a statement**. Questions or statements must be addressed to the Parish Council as a whole and not to individual parish councillors. This is not an opportunity for engaging in debate with Members.

As a courtesy, questions should be notified to the Clerk 24 hours before the meeting. If this is not possible, the Clerk should be informed of the question prior to the start of the meeting.

The Chairman (or Clerk) will respond to questions, but if the Chairman considers that another councillor might have the information, he will defer to him/her. This slot is for members of the public and **councillors should not participate unless invited to do so by the Chairman.**

## 5 CHESHIRE EAST BOROUGH COUNCILLORS' REPORTS

Borough Councillors to report in respect of Cheshire East Council matters, and any updates relating to the parish.

## 6 FINANCIAL MATTERS

### 6.1 AUTHORISATION OF PAYMENTS

The Parish Council is asked to approve the following payments. Any other payments requiring authorisation will be reported to the meeting.

£243.90	HMRC	Tax on Clerk's salary and employer's NI
£tba	Crystal Clean South Cheshire	Cleaning Community Hall
£tba	G O and M L Jones	Purchase of Christmas tree 2019 Payment for tree in 2018 (not invoiced)
£20.00	Target Windows	Cleaning of Community Hall windows.
£40.00	ASB Electrical	Repair of outside light
£240.00	PKF Littlejohn LLP	External audit (2018-2019) (£200.00 net and £40.00 VAT)

## 6.2 DONATION TO THE SW CHESHIRE SCOUTS – CHRISTMAS TREE RECYCLING PROGRAMME

The SW Cheshire Scouts has offered to remove the Christmas Tree as part of its annual recycling programme. They will collect trees on Saturday, 11 January 2020 and have requested a donation in excess of £5 towards local Scout funds.

Members are asked to consider making a donation.

## 6.3 BUDGET PROPOSALS – 2020-2021

This is the Parish Council's third and final consideration of the budget proposals for 2020-2021. The following documents are enclosed.

- Clerk's covering report
- Budget Monitoring Statement (as reported to the September meeting), together with draft budget proposals for 2020-2021

### Re-location of bench from Second Dig Lane

The Clerk has asked for a quotation from ANSA for the removal of the bench at Second Dig Lane and installed at another location in the parish.

This was not a specific decision by the Parish Council, but at the November 2019 meeting, Members agreed to consider this as a possibility. A figure could, therefore, be included in the budget proposals, even if the Parish Council decides not to move the bench.

### Provision of Four Litter-Bins

As requested at the last meeting, SPAG has been asked to suggest suitable locations for four litter-bins, which it was agreed should be added to the budget.

The Parish Council is asked to RESOLVE:

- (a) That a budget of (to be agreed at the meeting) be approved;
- (b) That the Clerk be authorised to request a precept of (to be agreed at the meeting) from Cheshire East Council; and
- (c) That the Clerk's salary be increased to (to be agreed at the meeting) with effect from 1 April 2020 in line with her contract of employment and the pay scales agreed by the National Joint Council for Local Government Services.

## 6.4 EXTERNAL AUDIT OF ACCOUNTS – 2018-2019

To receive the external auditor's report on the accounts for 2018-2019.

The sign-off would usually be in September each year, but as the Clerk had received no notification, other than the informal advice submitted to the Parish Council at the September meeting, a follow-up email was sent. It appears that PKF Littlejohn did send the necessary paperwork by email on 30 September 2019, but the Clerk did not receive it.

The report confirms the informal comments reported to the September meeting:

*The smaller authority failed to approve the AGAR in time to publish it before 1 July 2019, the date required by the Accounts and Audit Regulations 2015 and did not disclose this by answering 'No' to Section 1, Box 1.*

The following 'other' matter has also been raised.

*We note that the smaller authority did not comply with Regulation 15 of the Accounts and Audit Regulations 2015 and it failed to make proper provision during the year 2019/20 for the exercise of public rights, since the approval date was after the start of the period for the exercise of public rights. As a*

*result, the smaller authority must answer 'No' to Assertion 4 of the Annual Governance Statement for 2019/20 and ensure that it makes proper provision for the exercise of public rights during 2020/21.*

## **6.5 ENERGY SUPPLIES**

A company called The Utility Supplier contacted the Clerk to ask about the possibility of seeking quotations from various energy suppliers on behalf of the Parish Council.

The Parish Council is asked to consider this request. If the Parish Council agrees, the Clerk will need to provide a bill from Scottish Power (for street lighting), West Mercia Energy (for Community Hall charges) and a Gas Bill. The process would be for the Clerk to sign a letter of authority which would entitle the company to make those enquiries.

The company is paid a commission for any business it brings to the successful company.

## **6.6 ST CHAD'S CHURCH, WYBUNBURY**

St Chad's Church PCC has asked the Parish Council to consider making a grant towards the upkeep of both of its churchyards.

Whilst deceased residents of Stapeley are entitled to be buried there, both churchyards are now full for new burials and the only capacity is for the interment of ashes and burial in existing family graves, if space is available.

In view of this, the Parish Council is asked to consider if there would be any benefit to residents of Stapeley (and Batherton) in making a donation.

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There is no statutory power to spend; however, S.137(1) of the Local Government Act 1972, gives councils the power '*to incur expenditure for purposes not otherwise authorised.*'

It is known as a power of last resort and can only be used when there is no other specific power available. It must benefit some or all inhabitants; not an individual, nor can it be made retrospectively.

S.137 was amended in S.36 of the Local Government and Housing Act 1989. The amendment stipulates that expenditure and benefit must be balanced.

S.137 payments are index-linked. The limit is calculated by multiplying a figure of £8.12 by the number of electors in the parish.

## **7 COMMUNITY GOVERNANCE REVIEW**

This item was listed on the agenda at the meeting held on 18 November 2019, but no observations were made. It was agreed that formal comments be forwarded after further consideration at this meeting.

Cheshire East Council (CEC) is conducting a review of town and parish council governance arrangements across the Cheshire East Borough to *ensure that these continue to reflect local identities and facilitate effective and convenient local government.*

The Borough Council has undertaken some preliminary analysis of each of the town/parish council wards within the borough. A small number of requests have been received from parish councils asking for their specific governance arrangements to be considered.

Cheshire East Council was created on 1 April 2009 and has yet to carry out a full review of town and parish council governance. It is considered good practice to carry this out every 10-15 years.

It is expected that the review will be concluded well before the May 2023 local elections.

The Parish Council is invited to submit comments by **31 January 2020** and is specifically invited to consider (a) how effective the current governance arrangements are; and (b) are there any changes required, and if so, what changes, and the reasons for those changes.

Once this stage of the review has been completed, CEC will develop draft proposals which will be the subject of a formal consultation at a later date.

A copy of a report submitted to Cheshire East Council's Governance & Constitution Committee was submitted to Members with the agenda for the November 2019 meeting, but a further copy is enclosed, for ease of reference. The link to the survey is given below and individuals are also able to submit comments.

<https://surveys.cheshireeast.gov.uk/s/CGRPartOne/>

## **8 PLANNING APPLICATIONS**

The Parish Council is asked to submit observations on the following planning applications:

- 19/5480N Batherton Hall, Mill Lane, Batherton CW5 7QN  
Proposed alterations to Batherton Hall
- 19/5481N Batherton Hall, Mill Lane, Batherton, CW5 7QN  
Listed building consent in respect of 19/5480N above.

Deadline date for observations: 2 January 2020

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- 19/5488N The Pig Farm, Wybunbury Lane, Stapeley CW5 7HH  
Replacement of agricultural building to provide equestrian building to form a manège and erection of part agricultural/part equestrian building.  
National Grid Ref. 367994 350629 (This has been given as some Members believe that this is outside the Stapeley boundary.)

Deadline date for observations: 2 January 2020

- 19/5380N Oak Farm Cottage, London Road, CW5 7JU  
Demolition of existing dwelling and the erection of a replacement dwelling and ancillary works.

Deadline date for observations: 2 January 2020

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The following planning application was received after the November Parish Council meeting. An extra-ordinary meeting was scheduled for 28 November 2019, but there were insufficient Members available.

- 19/4861N 59 Talbot Way, Stapeley CW5 7RR  
Proposed two-storey rear extension with garage conversion into 'granny' annexe with single-storey side wet room extension and new single-storey garage front/side extension.

Deadline for observations was 1 December 2019

## **9 PLAQUES FOR BENCHES**

Members are asked to consider if plaques should be added to the benches already purchased and if so, what materials should be used, and what inscription.

**10 NOTICE-BOARD – COMPLAINT BY RESIDENT**

The Clerk has forwarded under separate cover an e-mail from a resident who has complained that the notice-board and the website are not up-to-date and also that it has insufficient community information.

Some of her complaints are reasonable and the Clerk is making arrangements to add the following to the notice-board. Some of the issues raised are more appropriate for the PCSO to deal with, or for inclusion on the community notice-board which the Co-op has previously indicated it would be adding to its outside wall:

- Full schedule of community hall activities.
- Broad Lane Coffee Club.
- New Youth Club poster.
- Schedule of Litter-pick activities.
- Notice stating that the defibrillator is on the wall of the Cronkinson Farm Pub and is rescue-ready.
- Up-dated schedule of parish councillor contact details.

With regard to the website, the resident was not specific about this. Perhaps Members could review the website for themselves and make suggestions for updating. In the meantime, the Clerk will review the statutory requirements and the requirements under the Parish Council's Freedom of Information Publication Scheme.

**11 PONDS IN STAPELEY**

The Clerk has not received a response from the Duchy of Lancaster about the pond area adjacent to the Clarendon Court on Beechwood Close.

Members are asked to consider what action, if any, should be taken.

**12 QUOTATIONS FOR MAINTENANCE OF THE CONSERVATION AREA, TALBOT WAY**  
(Reason for exclusion: Commercially sensitive)

The Clerk had contacted a total of four organisations for a quote for the maintenance of the conservation area at Talbot Way.

Two responses were received and these were submitted to the November 2019 meeting. The remaining two are outstanding.

This matter was first considered at the July 2019 meeting. The growing season has stopped, but the Parish Council will need to make a decision in the next two months or so, ready for the Spring.

**13 CLERK'S INFORMATION REPORT**  
(Cheshire Association of Local Councils – Town and Parish Councils Conference)

The only information report is from Councillor Mike Docker which he has already issued to Members by e-mail. A further copy is enclosed for east of reference.

**14 DATE OF NEXT MEETING**

**20 January 2020**