



STAPELEY & DISTRICT PARISH COUNCIL

Clerk: Carol Jones

Tel: 01270 812065 e-mail: carol.jones@stapeleyparishcouncil.gov.uk

www.stapeleyparishcouncil.gov.uk

Parish Councillors are summoned to a
MEETING OF THE PARISH COUNCIL

DATE: MONDAY, 16 OCTOBER 2017
TIME: 7.30 pm
VENUE: COMMUNITY HALL, PEAR TREE FIELD,
STAPELEY

Enquiries to: Clerk: Carol Jones

Tel: 01270 812065
Issue date: 9 October 2017

Signed

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

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

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.

AGENDA

1 APOLOGIES

Apologies for absence should be notified to the Clerk by noon on the day of the meeting, if possible, but by no later than 6.30 pm. Apologies must be received and accepted before the meeting. If received after the meeting they cannot be recorded.

Councillors M Docker and K Nord.

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 particular circumstances.

3 MINUTES – 18 SEPTEMBER 2017

3.1 To approve as a correct record, the Minutes of the Meeting held on 18 September 2017. ☆

3.2 Up-date on Actions

- A second quotation for fitting the AED, is awaited.

4 PUBLIC QUESTION TIME

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. A copy of the Public Speaking Protocol will be available at the meeting.

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 CASUAL VACANCY

The Clerk has issued information to two candidates for the casual vacancy.

The candidates are John Putt and Robert Carter. The following is the procedure which should be followed.

- The co-option will be held in open session with candidates present throughout.
- Each candidate, in turn, will make a brief presentation to explain their reasons for wishing to enter public life.
- Following this, Members may wish to ask questions *which should not be of a personal nature*.
- It is suggested that the Parish Council propose and second that a secret ballot of all candidates be held.

- Each parish councillor will be provided with a blank voting paper and will be asked to write the name of the candidate they wish to be co-opted.
- The voting papers will be passed to the Clerk who will announce the result.
- In the event of a tie, the common law position of drawing lots shall be employed and this will be a toss of a coin.
- The successful candidate will be asked to sign a Declaration of Acceptance of Office which also requires him to be bound by the Code of Conduct.

6 FINANCIAL MATTERS

6.1 Delivery of Newsletter and SPAG 'Walk Stapeley' Leaflet

Stapeley Parish Action Group is producing a 'Walk Stapeley' leaflet and is planning to co-ordinate its delivery with the Parish newsletter in November.

The usual cost for delivery of the newsletter is £135.00; if the additional leaflet were to be included as part of the delivery, it would cost £208.50.

The Parish Council is recommended to agree to fund the cost of the delivery.

6.2 Authorisation of Payments

The Parish Council is asked to authorise the following payments. Any additional payments required will be reported to the meeting.

£228.26	HMRC	Tax on Clerk's salary and employer's NI contribution (£190.60 tax and £37.66 employer's NI cont.)
£17.99	C M Jones	Reimbursement for second land search (£14.99 + £3.00 VAT)

This is linked to a payment authorised at the September meeting. A resident was of the view that land in Stapeley between Pear Tree Field and Hawksey Drive, is the responsibility of the Parish Council. The Clerk had already made a land search which related to land at Talbot Way.

The resident was dissatisfied with the Clerk's response and provided a third-hand document, with a title No. which purported to show that the Parish Council was responsible for land with the post-code CW5 7RR. The Clerk made a further request asking for a copy of the transfer document which showed how the land had become the responsibility of the Parish Council. The message received back was that the Title No. was incorrect.

The Clerk contacted the resident and informed him of the outcome.

During these searches, the Clerk received helpful information from Noel Wagstaff (formerly of SPAG) and this information showed that the land on the Cronkinson estate was mostly in the ownership of Bovis Homes.

£tba	Crystal Clean	Cleaning of community hall – September
£208.50	The Leaflet Team	Delivery of parish newsletter and 'Walk Stapeley' leaflets (subject to agreement under item 6.1 above.)
£244.32	Thomson Planning	Attending meeting at Cheshire East Council 19 September and Steering Group meeting 26 September 2017 (£203.609 net and £40.32 VAT)

6.3 Budget – 2018-2019

Members are invited to give initial consideration to a draft budget for 2018-2019.

The Clerk's report is enclosed which comprises budget monitoring to 30 September 2017; revised estimates to 31 March 2018; and a draft budget for 2018-2019. The Parish Council



will be able to consider the budget again at its November meeting, with a view to finalising it at the December 2017 meeting.

Members will note on the bank reconciliation that there are unrepresented cheques amounting to £3,316.20. This is because the bank reconciliation is based on bank statements at 21 September; cheques were signed at the Parish Council meeting on 18 September, and, other than the cheque for cleaning services, the remainder will have been presented after 21 September.

6.4 Revised Financial Regulations

The Parish Council's Standing Orders and Financial Regulations were reviewed by the Parish Council on 21 May 2015. In January 2016 the National Association of Local Councils amended the Financial Regulations and a revised copy is now enclosed for adoption. (These form part of the Parish Council's document 'Standing Orders and Financial Regulations').



The Clerk has taken the opportunity to make amendments to Regulations 4.1 and 11.1 (h) as follows:

- 4.1 *Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:*
- *the Council for all items over £1,000 ;*
 - *a duly delegated committee of the Council for items under £1,000; and*
 - *the Clerk, in consultation with Chairman of Council or Chairman of the appropriate committee, for any items below £1,000.*

Such authority is to be evidenced by a Minute or by an authorisation slip duly signed by the Clerk, and where necessary also by the appropriate Chairman.

Contracts may not be disaggregated to avoid controls imposed by these regulations.

11.1 (h)

When it is intended to enter into a contract of less than £25,000 (but more than £3,000), in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk/RFO shall obtain three quotations (priced descriptions of the proposed supply). Where the value is below £3,000 and above £1,000 the Clerk/RFO shall strive to obtain three estimates; otherwise, Regulation 10 (3) above shall apply.

The reason for the change to these two specific regulations is to allow more flexibility when seeking quotations; for example, the Clerk recently sought a quotation for joinery work in the community hall. The cost was expected to be £500, but there was a possibility that this would be marginally in excess of £500 and would have required a decision by the full Parish Council.

7 MEETING WITH LAURA SMITH, MP

At the previous meeting, it was agreed that Laura Smith MP be offered the opportunity to attend either a private meeting at which only parish councillors would be present, or a more public meeting where councillors and members of the public would be able to discuss parish matters.

The Clerk contacted Ms Smith's secretary who suggested the public meeting would be appropriate. Subsequent to that, the Chairman contacted the Clerk and expressed a wish that this should be a private meeting for parish councillors only.

Ms Smith's office has agreed to a private meeting on 2 November 2017 at 7.30 pm and suggests a public meeting to be held early in 2018 when councillors and members of the public will be able to participate.

The Parish Council is asked to approve this arrangement.

8 PLANNING MATTERS

8.1 Planning Applications

Comments are invited on the following planning applications which can be viewed on the Borough Council's website (www.cheshireeast.gov.uk). Members are asked to view the applications prior to the meeting.

17/4627N Stapeley House, Wybunbury Lane, Stapeley, CW5 7HH
Single-storey rear extension

This planning application was included on the agenda for the 18 September 2017 meeting, but none of the documents had been uploaded onto the CEC website. The documents are now available, and the deadline date for observations has been extended to 17 October 2017.

12/3747N Land between Audlem Road/Broad Lane and Peter de Stapleigh Way
Residential development up to a maximum of 189 dwellings; local centre (Class A1 to A5 inclusive and D1) with maximum floor area of 1800sqm Gross Internal Area (GIA); employment development (B1b, B1c, B2 and B8) with a maximum floor area of 3,700sqm GIA; primary school; public open space including new village green, children's play area and allotments; green infrastructure including ecological area; new vehicle and pedestrian site access points and associated works.

Amended plans and details have been submitted. Comments requested by 23 October 2017.

The decision status listed on the Cheshire East Council website is '*decision currently under appeal*'.

Experience shows that very detailed, lengthy observations are often submitted in respect of applications by the Muller Property Group. If Members have already formulated their own observations, the Clerk requests that written notes be brought to the meeting and read out. This will facilitate the accurate recording of observations.

8.2 Neighbourhood Plan – Independent Examination

The Steering Group to report progress in respect of the independent examination of the Neighbourhood Plan and the outcome of meetings with CEC Planning Officers.

9 CCTV – COMMUNITY HALL

The Working Group has now provided the names of four contractors who are competent to install CCTV at the community hall. The Clerk has issued an '*invitation to quote*' to each company. They have been informed that there will be a special meeting on Monday, 13 November 2017 (subject to Members' agreement) and that each company will be given a 20-minute slot to outline their respective proposals.

Members are asked to confirm that the 13 November is a convenient date; if not, an alternative date should be agreed.

10 CONSULTATION – COMMUNITY INFRASTRUCTURE LEVY (CIL)

Cheshire East Council is consulting on the new draft charging schedule, the Community Infrastructure Levy (CIL). Members will be aware that this is a planning charge that can be used to support the development of the local area. It allows local authorities to raise funds

from developers of new building projects. The money can be used to help fund a wide range of infrastructure which is needed as a result of development.

CIL is charged as a fixed rate per square metre of new floor space. The rate is set by local authorities in consultation with local communities and developers, and is tested through an independent examination.

Comments are requested by 5.00 pm on 6 November 2017. The documents were issued to Members by e-mail on 26 September 2017.

11 UP-GRADING OF STREET LIGHTING (INFORMATION ITEM)

To report that in the next six weeks, some of the street lighting on the following streets is to be replaced as part of the LED replacement programme, but in most cases, only lantern upgrades will take place. For information, a general explanatory CEC leaflet is enclosed.



Beechwood Close	Smithers Close
Comberbach Drive	Broad Lane
Hallams Drive	Chater Drive
Mainwaring Close	Stanyer Court
Massey Close	Thomas Avenue
Poplar Court	Clonners Field
Tinkersfield	Dunnillow Field
Birchall Close	Flowerscroft
Hawksey Drive	Tenchersfield
Sherratt Close	Pear Tree Field

Notification signs will be attached to some of the lighting columns to inform residents of the works.

12 DATE OF NEXT MEETING

20 NOVEMBER 2017

NOTES ON PLANNING APPLICATIONS

The following are the material grounds on which the Parish Council can make observations on planning applications.

1	The Development Plan in all its aspects.	13	Highway issues: traffic generation, vehicular access, highway safety.
2	Government legislation and guidance	14	Adverse impact on nature conservation interests and biodiversity opportunities.
3	Has there been pre-application consultation?	15	Loss of effect on trees.
4	Previous appeal decisions and Planning Inquiry reports	16	Capacity of physical infrastructure, eg public drainage or water systems.
5	Siting	17	Loss of privacy
6	Loss of sunlight (based on Building Research Establishment Guidance)	18	Layout and density of building design, visual appearance and finishing materials.
7	Over-shadowing/loss of outlook to the detriment of residential amenity (Note: Not related to loss of view)	19	Deficiencies in social facilities, eg, spaces in schools, doctors' surgeries.
8	Inadequate or inappropriate landscaping.	20	Effect on listed buildings and conservation area.
9	Compatibility with street scene.	21	Flooding
10	Development effect on neighbouring properties	22	Storage and handling of hazardous materials and development of contaminated land.
11	Appropriateness of use taking account of local area.	23	Local financial considerations offered as a contribution or grant.
12	Incompatible or unacceptable uses.	24	Neighbourhood Plan

The following are non-relevant matters and will be disregarded by the Borough Council.

- Matters controlled by other legislation
- Problems arising from the construction period of any works (these are covered by the Control of Pollution Acts).
- Opposition in principle to development when this has been settled by an outline planning permission or appeal.
- Effect on private rights.
- Provisions in covenants/deeds.
- Applicant's personal circumstances (unless exceptionally and clearly relevant, eg provision of facilities for someone with a physical disability).
- Effect on property values.
- Loss of view
- Opposition to business competition.
- Factual misrepresentation of the proposal.
- Private opinions.
- Business competition
- Moral issues.