

STAPELEY & DISTRICT PARISH COUNCIL

Clerk: Carol Jones

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www.stapeleyparishcouncil.gov.uk

Parish Councillors are summoned to a
MEETING OF THE PARISH COUNCIL

DATE: MONDAY, 17 NOVEMBER 2014

TIMES: 7.30 pm

VENUE: STAPELEY COMMUNITY HALL,
PEAR TREE FIELD, STAPELEY

Enquiries to:

Clerk: Carol Jones

Tel:


01270 812065

Date of public notice:

8 November 2014

Date issued to Parish Councillors:

10 November 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)
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.

NOTES

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.

A G E N D A

Guide Time: 7.30 pm – 7.35 pm

1 APOLOGIES FOR ABSENCE

Apologies for absence should be notified to the Clerk by noon on the day of the meeting, if possible. Apologies must be received and accepted before the meeting. If received after the meeting they cannot be recorded.

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

To approve as a correct record the Minutes of the meeting held on 20 October 2014, the same to be signed by the Chairman. ...

7.35 pm – 7.45 pm

4 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. 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, she 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.**

If possible, a response to questions will be given at the meeting. If this is not possible, a written response can be provided to the questioner. In the case of statements, no response is required.

5 CHESHIRE EAST BOROUGH COUNCILLORS

Borough Councillors Andrew Martin and Peter Groves to report on Cheshire East Council matters of interest.

6 CLERK'S REPORT (for information)

To receive the Clerk's report. ...

7.45pm – 8.00 pm

7 SPEED WATCH

7.1 Replacement of Equipment

As reported at the last meeting, one of the speed units requires replacing; as a consequence, the usual three-weekly rotation of speed units has been deferred to enable the replacement and rotation to be carried out on the same visit.

The Clerk has sent an official order to TWM Traffic Control Systems requesting the work to be carried out. The invoice for the work is included at agenda item 9.3 below.

7.2 Presentation of Data from Vehicle-Speed Display Units

The Clerk has now visited TWM and discussed the presentation of data with the engineers. The software required is not compatible with the computer used by Councillor Docker and for this reason he is only able to produce Excel spreadsheets.

The software has now been uploaded onto the Clerk's laptop and all future information downloaded from the units can be forwarded direct to the Clerk every three weeks. Each unit only holds six-weeks of data, and once that six weeks has elapsed, it is automatically deleted from the unit.

At the time of publication of the agenda, there is no recent information available; however, the enclosed charts are for the period 28 March 2013 to 24 April 2013 and comprise –

- Course average and maximum speed (this is the most useful to the Police)
- Course speed percentiles
- Course number of speed values
- Course number of vehicles

...

The purpose of providing this out-of-date information is to demonstrate the format. This is the format preferred by the Police which will use the data for enforcement.

If Councillor Docker wishes to retain responsibility for the Speed Watch scheme, an alternative would be for the Parish Council to purchase a laptop or notebook which could be used for this purpose. Members will need to consider if this is a good use of public money.

8 COMMUNITY HALL UPDATE

To update the Parish Council on matters raised at the previous meeting.

Cheshire East Council

The Clerk has written to Cheshire East Council (and sent a follow-up) to inform it that quotations for perimeter fencing are being sought and to ask if the Borough Council would be willing to fund the total cost, but in the alternative, to fund on a 50:50 basis with the Parish Council. A response is awaited.

Energy Costs

The Clerk has contacted West Mercia Energy (WME) to establish if the rates being charged by the company are the same as those previously charged to Cheshire East Council. The Clerk has also enquired about the term of the contract.

If the Parish Council contracts with WME to continue to supply electricity at the hall, the rates would be the same as have been charged to Cheshire East Council.

If the Parish Council wishes to contract with WME, the initial period would be until 31 March 2016, and if the Council wished to cease that arrangement (at 31 March 2016) it would need to give written notice by no later than 30 September 2015.

If the Council decides now that it does not wish to 'sign up' to WME, WME will remove the electricity supply from its supplier contract, with effect from 1 November 2012 as this is the date when change of occupancy occurred. Npower (WME's supplier) will then contact the Council separately to offer a retrospective contract (to 1 November 2012). If this offer is not taken up, Npower will charge at its own rates (for the electricity already used) until such time as the Council transfers to another electricity supplier.

Risk Assessment

The Clerk is reviewing guidance from the Health and Safety Executive in respect of a general risk assessment/management of the hall and will report to the December meeting.

Legionella Risk Assessment

Councillor K Nord has reviewed the HSE guidance on Legionella testing and states that the following needs to be carried out:

- Test water temperatures monthly, by testing the taps furthest away from the point of the supply.
- The cold water must be below 20°C within 2 minutes.
- The hot water must be over 50°C within 1 minute.

To carry out these checks, an electronic thermometer is required and a book to record the findings. The Risk Assessment documentation provided by Hertel which carried out the risk assessment, includes the necessary forms to record such findings.

Councillor Nord is of the view that these tests could be carried out by the cleaning contractor. If Members agree, the Clerk will discuss this with her.

8.00 pm – 8.15 pm

9 FINANCIAL MATTERS

9.1 Delegation to the Clerk – Addition to Financial Regulations

The Parish Council is asked to approve a revision to the Financial Regulations which would allow for delegation to the Clerk, who would act in consultation with the Chairman. The delegation will assist the Neighbourhood Plan Steering Group to make purchases, if necessary, without the need to wait until the next Parish Council meeting.

The Financial Regulations provide for the following:

Contracts in excess of £50,000	subject to tender
Contracts of more than £1,000	three quotations
Contracts below £1,000 but more than £500	strive to obtain three quotations
Contracts below £500	

The Financial Regulations are silent as to how to deal with contracts below £500 but as with all expenditure, value-for-money would apply at all times, and Regulation 10(3) would be the most appropriate in these circumstances:

All Members and the Officer are responsible for obtaining value-for-money at all times. 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 in Regulation 11 (g).

The suggested addition would be as follows and included as paragraph 11 (j):

When it is intended to enter into a contract of £500 or under, and the matter is of such urgency that it should be dealt with before the next meeting of the Parish Council, the Clerk/RFO shall be authorised to make the contract, in consultation with the Chairman, provided that the expenditure relates to an item for which there is an appropriate budget-heading. All such expenditure shall be reported to the next meeting of the Parish Council.

9.2 Community Hall - Feminine Hygiene Dispenser Unit

The Parish Council is asked to authorise the installation of a tampon/towel machine, supplied and maintained in the community hall on a one-year contract.

The machine would be stock-replenished every month and sanitary waste removed twelve times a year.

The quotation for this has been provided by Dame Hygiene Services, a local company, which supplies local commercial premises.

One x 23 litre, foot-pedal operated sanitary disposal unit	£2.00 per week
One x dual column tampon and towel (Tampax and Always) dispensing machine	£2.50 per week

The total cost per annum is £234 plus VAT.

9.3 Authorisation of Payments

£710.00	TWM Traffic Control Systems Ltd. – replacement of speed unit
£tba	TWM Traffic Control Systems Ltd – movement of units around the parish.
£192.68	HM Revenue & Customs – tax and employer’s NI contribution (Tax: £168.20 – employer’s NI contribution: £24.48)
£59.00	Clough’s of Nantwich – installation of pole in community hall for wall-hanging
£139.23	Scottish Power – non-metered electricity supply for street lights (£137.72 net - £6.63 vat)
£tba	Crystal Clean – cleaning of community hall October/November.
£tba	James Thompson – replacement of setts on land at Talbot Way

10 SPRING BULBS

As the Borough Council no longer provides free Spring bulbs, the Parish Council is invited to consider if a quantity should be purchased for planting in various locations around the parish, the locations to be agreed.

The Chairman has agreed to collect the bulbs, and be reimbursed for the expenditure at the next meeting. It is suggested that a maximum of £50 would be appropriate.

11 PURCHASE OF LITTER BIN

The litter-bin which is located on open space near to the Multi-Use Games Area, is often over-flowing and probably contributes to the additional litter which surrounds the community hall. (This is the observation made by PCSO N Jarvis at the Police Cluster meeting on 20 October 2014.)

If the Parish Council purchases an additional waste-bin (see attached photograph) at a cost of £323 plus VAT, (supplied by ANSA), Cheshire East Council will arrange for the emptying to be added to its waste-collection round. The bin would be located in the vicinity of the existing bin and can be used for both dog-waste and litter.

...

8.15 pm – 8.30 pm

12 NEIGHBOURHOOD PLAN

12.1 Inaugural Meeting

To receive the Minutes of the Inaugural Meeting held on 13 November 2014.

To follow

12.2 Amendments to Terms of Reference

(a) There is an error on the Terms of Reference for the Steering Group

Paragraph 4 - Frequency, Timing and Procedure of Meetings (v) 6 states –

“Election of Chairman to serve for the life of the Steering Group”.

Chairmen are only permitted to serve for a Municipal Year, but there is nothing to prevent a re-election of the same person in the next Municipal Year.

(b) The following is also suggested as an amendment:

Paragraph 2 (ix) states –

Refer back to the Parish Council for decision-making, recommendations made as a result of community engagement.

For the avoidance of doubt, it is suggested that the words ‘*inter alia*’ be inserted after ‘...result of...’. As it stands, the sentence means that the only recommendations which would be referred back to the Parish Council are those which arise out of community engagement and that was not the intention; there will be other matters which require referral to the Council.

13 PLANNING MATTERS

At the time of publication of the agenda, there are no planning applications for consultation.

14 CHESHIRE ASSOCIATION OF LOCAL COUNCILS – CHARTER

The Parish Council is invited to comment on the draft charter, which is an update of its previous, has been prepared by the Cheshire Association of Local Councils.

...

The charter sets out the protocols to enhance and develop collaborative working between the town and parish councils in Cheshire East and Cheshire East Council.

15 POLICE AND CRIME COMMISSIONER INVITATION – 9 DECEMBER 2014

Town and parish councils are invited to nominate a member to attend a meeting with the Police and Crime Commissioner to be held on Tuesday, 9 December 2014 at 6.30 pm in the Council Chamber, Municipal Buildings, Earle Street, Crewe.

8.30 am – 8.45 pm

16 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 item owing to the confidential nature of the business to be transacted and the public interest would not be served in disclosing that information.

17 COMMUNITY HALL – PERIMETER FENCING

The Clerk has contacted three companies (via the Internet) seeking quotations for mesh fencing, or similar. One company has made contact and has offered advice. See enclosed Clerk's report. ...

Quotations have not yet been sought for the ground treatment around the close perimeter of the building.

18 RE-ADMITTANCE OF PRESS AND PUBLIC

The Parish Council is invited to re-admit the press and the public to the meeting.

19 OUTSIDE BODIES/MEETINGS

Members appointed to outside bodies or meetings should routinely report the outcome of meetings to the Clerk for inclusion in the 'Clerk's Report'. However, this is an additional opportunity for any Member who has not provided an up-date, to report on any recent meetings.

20 FUTURE MEETINGS

Thursday 4 December 2014 – Finance and Grants Committee

Members of the Finance Committee are reminded that there is a meeting to be held on Thursday, 4 November 2014 at Broad Lane Methodist Chapel at 7.30 pm.
(Members: Councillors S Clough, M Docker, J Hillman, K Lawrence and K Nord)

15 December 2014 – Parish Council