

# STAPELEY & DISTRICT PARISH COUNCIL

Clerk: Carol Jones

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Parish Councillors are summoned to a  
**MEETING OF THE PARISH COUNCIL**

**DATE:** MONDAY, 18 JANUARY 2016

**TIMES:** 7.30 pm

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

Enquiries to: Clerk: Carol Jones

Tel: 01270 812065

Issue date: 11 January 2016



Signed

To: Members of the Parish Council  
Councillors Elizabeth Boughey, Shaun Clough, Mike Docker, John Davenport,  
Sandy Gwinn-Freemantle, Peter Groves, Jo Hillman, 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*. 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

- 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 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. In these circumstances, no response is given.
- 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 Meetings are held at Stapeley Community Hall.

2.2 **Exclusion of the press and public:** On occasions, members of the public and press representatives are 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. It is irrelevant whether there are press and public in attendance when the exclusion motion is carried. The purpose of the motion is to ensure that none of the proceedings which follow, including both written documents and any comments made, can be made public after the meeting. If the Council does not resolve to exclude the press and public, this would mean that anything discussed and any documents presented are regarded as in the public domain and must be supplied if requested by anyone, whether as a general request, or under the Freedom of Information Act.

2.3 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*).

2.4 **Planning Grounds:** The grounds on which observations 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

## 1 APOLOGIES

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 – 14 DECEMBER 2015

To approve the Minutes of the Meeting held on 15 December 2015. ...

## 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.**

## 5 CLERK'S REPORT/INFORMATION ITEMS

There is no Clerk's report on this occasion; however, the following items are reported:

- Minutes of Stapeley Parish Action Group – 7 December 2015 (previously distributed)
- Police Cluster Meeting: 16 January 2016. A report of this meeting/ minutes, will be provided in the February report.
- Edward Timpson MP has acknowledged receipt of the Parish Council's letter in respect of the new Housing and Planning Bill and will provide a more detailed reply at a later date.

## 6 AUTHORISATION OF PAYMENTS

6.1 The Parish Council is asked to authorise the following payments:

£207.10	HMRC	Tax on Clerk's salary (£177.80 plus £29.30 employer's NI contribution)
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£48.00	CVS Cheshire East	Payroll service – 1 October 2015 – 31 March 2016
£320.27	Cheshire Association of Local Councils	Contribution to cost of representation at the CEC Local Plan Examination
£78.94	Noel Wagstaff	Reimbursement for the purchase of spray cans for marking dog faeces.
£7,357.00	Groundwork UK	Reimbursement of unused portion of the grant of £7,850 made in respect of the Neighbourhood Plan.

## 6.2 Receipts and Payments Statement – Position at 31 December 2015

To receive a receipts and payments statement showing the position at 31 December 2015. ...

## 7 NEIGHBOURHOOD PLAN STEERING GROUP

To receive the minutes of recent Steering Group meetings.

To follow/  
be tabled

## 8 PLANNING MATTERS

### 9.1 Planning Applications

The Parish Council is asked to comment on the following planning application:

15/5737N      Oakfield, London Road, Stapeley, CW5 7JS  
Listed building consent for proposed change of use of ground floor  
to provide 'granny annexe' related to house

### 9.2 Appeal – Land at rear of 144 Audlem Road (15/3868N)

Following refusal of planning application No. 15/3868N, the applicant has appealed the decision. Comments already made will be taken into consideration by the Planning Inspector who will conduct the appeal by means of a Public Inquiry and site visit.

Any changes in comments already made need to be sent direct to the Planning Inspectorate by no later than 26 January 2016.

### 9.3 Stapeley Gardens

David Wilson Homes is seeking clarification of the following condition which was placed as part of the planning permission for application 12/1381N when it was considered by the Strategic Planning Board on 1 August 2012.

*'Prior to the commencement of development a scheme for improvements to off-site footpath access to Broad Lane School, at Broad Lane, Stapeley shall be submitted to the Local Planning Authority and approved in writing. This scheme shall be carried out in consultation with the Chairman and Parish Council. The improvements shall be provided in full on completion of 50% of the housing.'*

Since that time, David Wilson Homes has requested Officers at CEC to provide details of what these improvements are and for the Officers to liaise with the Parish Council. To date, the Officers have not been able to advise David Wilson Homes what improvements the condition relates to; this was not a condition suggested by the Parish Council.

David Wilson Homes has inspected the footpath to the school and has not been able to identify locations where improvements are required. It all appears to be in good working order. It may be the case that improvements have been made by another body in the intervening period, and that this is no longer a concern.

Members are asked to consider this matter so that observations can be passed to David Wilson Homes.

**10 CONSULTATION – CHESHIRE EAST COUNCIL PRE-BUDGET REPORT (2016-2017)**

Cheshire East Council has published its pre-budget report for 2016-2017, with a foreword by Councillor Peter Groves, Portfolio Holder for Finance and Assets. Feedback from Town and Parish Councils is invited by Monday, 15 February 2016.

This item was deferred from the December 2015 meeting.

**11 COMMUNITY HALL – REFUND TO CLIENT**

A client who used the community hall on 28 November for six hours at a fee of £72, commented that whilst she enjoyed the use of the hall most of her guests kept their coats on because the hall was very cold for much of the event.

The Parish Council is asked to consider if a partial refund should be made to the client.

**12 PARISH NEWSLETTER**

**12.1 Draft Newsletter**

The Parish Council is invited to suggest articles for the next general newsletter. A draft is enclosed. The Neighbourhood Plan Steering Group will be providing an update on progress on the Neighbourhood Plan. ...

**12.2 Litter in the Parish**

The newsletter includes an item on litter in the parish. Volunteers, including parish councillors, cleared a significant amount of litter from around the community hall on Sunday, 10 January. Members might wish to amend the item on litter, particularly in view of the national anti-litter campaign which is to be launched to mark the Queen's 90<sup>th</sup> birthday on 21 April 2016.

**13 MEETING WITH POLICE AND CRIME COMMISSIONER**

John Dwyer, the Police and Crime Commissioner is inviting representative from across the local councils in Cheshire East to attend a meeting on Tuesday, 26 January at 6.30 pm in the Council Chamber, Municipal Buildings, Earle Street, Crewe, CW1 2BJ.

The Parish Council is invited to nominate Member(s) to attend.

**14 CHESHIRE EAST BOROUGH COUNCILLORS**

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

**15 STAPELEY GARDENS – ENGAGEMENT WITH RESIDENTS**

(Item requested by Councillor M Docker)

To consider the merits of holding an engagement/welcoming event for the residents of Stapeley Gardens.

**16 DATE OF NEXT MEETING**

15 February 2016