

# STAPELEY & DISTRICT PARISH COUNCIL

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

**DATE:** MONDAY, 19 SEPTEMBER 2016  
**TIMES:** 7.30 pm  
**VENUE:** STAPELEY COMMUNITY HALL,  
PEAR TREE FIELD, STAPELEY

Enquiries to: Clerk: Carol Jones

Tel: 01270 812065  
Issue date: 14 September 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

**GUIDE TIMES:**  
**7.30 PM – 7.40 PM**

**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. **Councillor M Docker.**

**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 JULY 2016**

To approve the Minutes of the meeting held on 18 July 2016. ...

**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 CHESHIRE EAST BOROUGH COUNCILLORS**

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

**7.40 PM – 7.50 PM**

**6 NEIGHBOURHOOD DRAFT PLAN**

**6.1 Draft Plan**

The Draft Neighbourhood Plan is not yet available following the Regulation 14 Consultation. The Draft Plan will need to be considered at an extra-ordinary meeting and Members are invited to agree a date.

## 6.2 Independent Examiner

Following the publicity period, an independent examiner will be appointed. Although Members have previously been of the view that this can be carried out simultaneously with the publicity period, this is not the case. The current method adopted by Cheshire East Council is not to appoint an examiner until after the close of the 6-week consultation period. This is because it is difficult for an examiner to make a judgement on the cost/time/resource an examination will require without having the consultation responses. Moreover, experience has shown that on occasions, where an examiner was appointed, then following receipt of the consultation responses they considered that they were not best able to examine the Plan.

In terms of appointing the examiner, this will be carried out in consultation with the Parish Council. Telephone interviews can be held; however, CEC does not always receive three examiners; sometimes it can be two only. A decision may be able to be made based on the CV of the examiner and interviews might not be necessary.

**The Parish Council is asked to authorise a small panel of parish councillors, who are Members of the Steering Group, to interview, or review CVs, of potential independent examiners, and to make that decision.**

Following receipt of the Examiner's Report, a decision will be taken through the CEC decision-making cycle to proceed to referendum. This can take up to a month, depending on the Committee cycle.

**7.50 PM – 8.00 PM**

## 7 AUTHORISATION OF PAYMENTS

The Parish Council is asked to authorise the following payments:

£206.30	C M Jones	Reimbursement for tax on Clerk's salary (£177.80 plus £29.30 employer's NI contribution) (Month 5) As the Parish Council meeting for August was delayed, and payment is due by the 19 <sup>th</sup> of the month, the Clerk has paid the tax for August.
£207.10	HMRC	Tax on Clerk's salary (Month 6)
£335.04	Andrew Thomson Planning	Neighbourhood Plan consultant (work to 31 Aug 2016) (£279.20 net and £55.84 VAT)
£tba	Crystal Clean	Cleaning of community hall (July, August and part of September)
£1,980.00	Signs of Cheshire Ltd.	To note that payment has now been made to the Parish Notice-Board Company (payable to 'Signs of Cheshire Ltd'). A pro-forma invoice was issued (ie. Payment before delivery of goods), and to avoid delay, the cheque was signed by Councillor S Gwinn-Freemantle and the Clerk.

## 8 PLANNING MATTERS

### 8.1 Planning Applications

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

16/4214N      11 Comberbach Drive, Stapeley, CW5 7GS  
Single-storey extension to rear of dwelling.

## 8.2 For Information

To note that the following planning applications were scheduled for consideration at the meeting to be held on 25 August, but as that meeting was cancelled, no comments were able to be made.

16/3908N	8 Garnett Close, Stapeley, CW5 7RF Single-storey rear extension to detached property.
16/3711N	Woodlands House, 61B, London Road, Stapeley, CW5 7JL Detached dwelling – re-submission of 14/5200N
16/3718N	Greenfields, Newcastle Road, Willaston, CW5 7EJ Variation of condition 9 (height) to planning application 13/4405N Outline application for re-development of Greenfields bungalow and garden to form four detached houses (Re-submission of 13/1718N)
16/3555N	Land to the West of Manor Bank Barn, Cheerbrook Road, Willaston Variation of condition 2 on approval P09/0040 for erection of four dormer bungalows and eight apartments with associated garages, landscaping and new vehicular access.
16/3720N	The Round House, London Road, Stapeley, CW5 7JN Demolition of existing main house to be replaced with two-storey dwelling (with a third storey within the roof). Application includes a refurbished pool-house along with a new three-car garage, all with connecting glazed links. In addition, a new annexe is proposed along with associated external works.
16/3555N	Land to the West of Manor Bank Barn, Cheerbrook Road, Willaston. Variation of condition 2 on approval P09/0040 for erection of four dormer bungalows and eight apartments with associated garages, landscaping and new vehicular access.

The deadline date for observations on this was 7 September 2016 and the Parish Council was not, therefore, able to comment.

## 8.3 Planning Inquiry – Land to rear of 144 Audlem Road Application No. 15/3868N – Outline permission for residential development for up to 104 dwellings and land for expansion of Brine Leas School

To report that the Borough Council's statement in response to this appeal is now available on its website.

Interested parties were invited to attend the Public Inquiry which commenced on Tuesday, 6 September 2016 at 10.00 am in the Carlsberg Lounge, Crewe Alexandra Football Club, Gresty Road, Crewe, CW2 6EB and, at the Inspector's discretion, to give their views. The Inquiry was expected to last four days.

### 8.00 PM – 8.15 PM

## 9 CIVIC PRIDE WORKING GROUP

### 9.1 Terms of Reference for the Civic Pride Working Group

Although the Civic Pride Working Group is not a Committee of the Parish Council, it will probably be helpful to adopt Terms of Reference to define the activities of the group. Suggested terms of reference are enclosed. ...

9.2 The working group to report on recent activities.

**10 LOCAL DEMOCRACY WEEK – 10–16 OCTOBER 2016**

To consider arrangements for Local Democracy Week in October.

**11 CLERK’S INFORMATION REPORT**

To receive the Clerk’s information report.

**8.15 PM – 8.45 PM**

**12 PARISH NEWSLETTER**

To consider issue of a parish newsletter. A first draft is enclosed, but much of the information is very similar to that in the previous edition (February 2016). Members might wish to consider an alternative means of keeping residents updated on important matters. ...

One of the articles suggested is ‘Participatory Budgeting – Health Services’ and this will be an opportunity for Councillor Hillman to report on the event which was held on 1 August 2016.

**13 DATE OF NEXT MEETING**

17 October 2016 – Budget Meeting

**14 EXCLUSION OF PRESS AND PUBLIC**

The Parish Council is invited to RESOLVE that in accordance with Paragraph 1 (2) of The Public Bodies (Admission to Meetings) Act 1960, 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.

**15 COMMUNITY HALL – COMPLAINT** ...

To consider a resident’s complaint about noise emanating from the community hall. The Clerk’s briefing note is enclosed.

**16 CHRISTMAS TREE FOR COMMUNITY HALL**

The Clerk has sought one quotation for the provision of a Christmas tree to be located outside the community hall. Details are not yet available, but the Clerk expects to be able to report to the meeting.

**8.45 PM – 9.00 PM**

**17 RE-ADMITTANCE OF PRESS AND PUBLIC**

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

**18 SHELTER FOR YOUNG PEOPLE – ADJACENT TO THE MUGA**

This issue was raised by Members via e-mail in view of recent anti-social behaviour in the vicinity of the MUGA.

The Parish Council is invited to review its decision to purchase a shelter for locating adjacent to the MUGA. The Clerk had started to seek quotations, but has suspended this pending the outcome of discussion of this item.