

STAPELEY & DISTRICT PARISH COUNCIL

Clerk: Carol Jones

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Parish Councillors are summoned to a
MEETING OF THE PARISH COUNCIL

DATE: MONDAY, 20 OCTOBER 2014

TIMES: 7.30 pm

VENUE: STAPELEY COMMUNITY HALL,
PEAR TREE FIELD, STAPELEY

Enquiries to:

Clerk: Carol Jones

Tel: 01270 812065

Date of issue: 13 October 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.

AGENDA

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. **Councillor S Clough.**

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 15 September 2014, the same to be signed by the Chairman. ...

4 MINUTES OF THE PARISH MEETING HELD ON 29 SAEPTEMBER 2014

To receive the Minutes of the Parish Meeting held on 29 September 2014. ...

7.35 pm – 7.45 pm

5 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.

6 CHESHIRE EAST BOROUGH COUNCILLORS

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

7 CLERK'S REPORT (for information)

To receive the Clerk's report. ...

7.45pm – 8.45 pm

8 COMMUNITY HALL

It has not been possible to arrange a meeting of the Community Hall Committee. For this reason, the following items are to be considered by the Parish Council as a whole. If Members focus on the decisions to be taken, it should be possible to conclude the discussion in an hour.

(i) Security at the Hall

To consider types of fencing which might be appropriate for enclosing the whole area comprising the community hall and car park, giving a similar visual impact as that at Pear Tree School and the Multi-Use Games Area.

The Parish Council is invited to consider this option, following which the Clerk will make appropriate enquiries of fencing suppliers and CEC Officers to establish if this would find favour. The cost could be divided on a 50:50 basis between CEC and the Parish Council.

The Clerk has asked Cheshire Community Action for security advice and will report to the meeting.

(ii) Signing the Lease

Cheshire East Council Legal Services has now advised the Legal Adviser that in view of the long delay in finalising the lease, the Legal Executive who is dealing with this matter is referring it back to her line manager for further review to ensure that the terms of the lease are still valid, prior to engrossment.

This means that the lease is unlikely to be ready for approval by the Parish Council until the November meeting at the earliest.

The vandalism (and graffiti) is increasing, and it is suggested that the Parish Council defer signing a new lease until January 2015, to allow Members to review appropriate security arrangements for the hall.

(iii) Review of Management Arrangements for the Hall

Interim arrangements were put in place on 23 July 2014 when the cleaning contractor took over responsibility for opening and closing the hall for each casual use, at a charge of £8 per opening.

Members are invited to review this arrangement and to consider if it should continue, or if steps should be taken to employ a caretaker. The report attached for agenda item 8 (vi) will be helpful to this discussion.

(iv) Review of the cleaning contract (due for renewal in November)

This item has been included here for convenience. If there are members of the public in attendance, it is suggested that this item be deferred to the end of the meeting; otherwise, the Parish Council is asked **RESOLVE that the press and public be excluded from the meeting during consideration of the following items (in accordance with Paragraph 1 (2) of The Public Bodies (Admission to Meetings) Act 1960) owing to the confidential nature of the business to be transacted and the public interest would not be served in disclosing that information.**

The report attached for agenda item 8 (vi) below will be relevant to this item. Members will wish to take into account the fact that there is no current lease, and any extension of the contract would need to be on a shorter term until the lease arrangements are in place.

Re-admittance of Press and Public

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

(v) **Risk Assessment**

To consider arrangements for a general risk assessment and for actions required under the Legionella Risk Assessment.

(vi) **Review of hire charges**

The Clerk's report is enclosed for consideration. ...

(vii) **Arrangements for a general risk assessment of the hall**

The Clerk has asked for a 'template' risk assessment form (from Cheshire East Council). At the time of publication of the agenda, a response is awaited. Members are invited to consider who is competent (within the meaning of the appropriate regulations) to carry out the risk assessment.

(viii) **Energy Costs**

Cheshire East Council has been paying the electricity charges at the hall since November 2012 but has now requested Mercia Energy (electricity supplier) to refund the total amount paid on the basis that it is not responsible for the electricity supply. In turn, Mercia Energy will invoice the Parish Council for the energy costs from 1 November 2012 to 30 June 2014 and has requested that future payments be arranged through direct debit. There appears to be no prohibition in respect of this arrangement, but the Clerk has contacted the Internal Auditor to ensure that there are no issues.

The Parish Council is asked to authorise the direct debit arrangement with Mercia Energy and to sign the authorisation forms.

8.45 pm – 9.15 pm

9 NEIGHBOURHOOD PLAN

9.1 Feedback from Parish Meeting (29 September 2014)

The Neighbourhood Plan working group is invited to report back following analysis of the information provided by residents and key stake-holders at the meeting held on 29 September 2014.

9.2 Terms of Reference for the Steering Group

The Parish Council is invited to:

- (a) Set up the Parish Council membership of the Steering Group (which will comprise parish councillors and volunteers); and
- (b) Approve the enclosed Terms of Reference for the Steering Group, subject to any amendments to be made at the meeting. ...

Members' attention is drawn to the following:

- There is no specific minimum number requirement for parish councillors, but it is only parish councillors who can vote. The Steering Group should try to reach its decisions by consensus.
- The Chairman of the Steering Group does not need to be a parish councillor.

- If a non-parish councillor is appointed as Chairman, he/she will not have an original vote, but will have a casting vote in the event of an equality of votes. Where there is a need for a casting vote, best practice suggests that the Chairman should vote in a way that allows for the issue to be re-raised on another occasion, rather than imposing his/her own view.
- To avoid unwieldy meetings, Members of the Steering Group might wish to consider co-opting no more than 15 volunteers, dependent on the number of parish councillors appointed. Other volunteers who have particular expertise in specific topics could be brought in on an *ad-hoc* basis rather than forming the core of the Steering Group.

9.3 Consultation Comments on the Area Application

As Members are aware, the consultation on the Area Application concluded on 24 September 2014. United Utilities has made observations to Cheshire East Council Spatial Planning Team. A copy of its observations is enclosed. ...

The observations have been sent with a request that the comments in the letter are not extracted or used in isolation as this may lead to a confusion of the United Utilities' message.

Members will note, United Utilities wishes to be included in any further consultations and, where necessary, the development of the Plan. The Steering Group will no doubt consult United Utilities, in accordance with paragraph 2 (vii) of the draft Terms of Reference.

10 FINANCIAL MATTERS

10.1 Authorisation of Payments

The Parish Council is asked to authorise the following payments:

£192.68	HM Revenue & Customs (168.20 tax on Clerk's salary and £24.48 employer's NI contribution.
£710.00	TWM Traffic Control Systems Ltd. – repair of speed unit.
£tba	Crystal Clean – cleaning of community hall Sept-Oct.
£20.49	Mrs C M Jones – reimbursement for:
	- £12.99 Purchase of 2015 diary for Community Hall bookings
	- £7.50 Printing of programmes for Parish Meeting (29 September 2014)

10.2 Receipts and Payments Statement – 1 April 2014 – 30 September 2014

To approve the Receipts and Payments Statement as at 30 September 2014. ...

11 PLANNING MATTERS

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

14/4285N Brooklands, Newcastle Road, Willaston
Two-storey side extension
E-mailed to members 22/9/2014: Comments required by 22 October 2014

12 PARISH NEWSLETTER

A final draft of the newsletter is enclosed. It is suggested that this be published and distributed by the end of October. ...

9.15 pm – 9.20 pm

13 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.

14 FUTURE MEETINGS

- 17 November 2014
- Thursday, 5 December 2014 – Meeting of the Finance Committee to consider the budget for 2014-2015