

# STAPELEY & DISTRICT PARISH COUNCIL

Clerk: Carol Jones

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

**DATE:** MONDAY, 21 MARCH 2016

**TIMES:** 7.30 pm

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

Enquiries to: Clerk: Carol Jones

Tel: 01270 812065

Issue date: 13 March 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. **Councillors S Clough and P Groves**

### **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 – 15 FEBRUARY 2016**

To approve the Minutes of the Meeting held on 15 February 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.**

**7.40 PM – 8.45 PM**

### **5 NEIGHBOURHOOD DEVELOPMENT PLAN – REGULATION 14 CONSULTATION**

The Draft Neighbourhood Development Plan is enclosed for consideration by the Parish Council. An Executive Summary is also enclosed. ...

Andrew Thomson, the Planning Consultant, will be in attendance to respond to any questions of a technical nature.

If the Parish Council makes amendments to the Plan, the Steering Group will incorporate these into a further draft which will be issued for Regulation 14 consultation purposes.

To ensure that the consultation proceeds with the minimum of delay, the Council is asked to consider/note the following:

- 1 750 paper copies of the Draft Plan are required. Although it was originally intended that 500 paper copies would be sufficient, 750 is more appropriate, to be allocated as follows:
  - 100 copies for each of the six locations
  - 30 spares
  - 120 copies to be posted out to businesses identified by the Steering Group but for which there are no e-mail addresses.
- 2 Johnsons the Printers has indicated that printing can be completed two weeks after receipt of final copy.
- 3 The quotation for printing 750 is **£2,366.00** for full colour; or **£1,638.00** for 4-colour process for cover and black/white inners for a 48-page document.

The Parish Council is asked to waive the Regulations as to Contracts to enable a contract to be negotiated without competition with Johnsons Printers in respect of the quotation for printing the Draft Neighbourhood Development Plan.

Regulation 11.1 (g) states '*When it is intended to enter into a contract of .....more than £1,000 the Clerk/RFO shall obtain three quotations...*'

Regulation 11.1 (i) states '*When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition, the reason shall be embodied in the Minutes of the meeting.*'

The proposed resolution would be:

**RESOLVED:** That the Regulations as to Contracts be waived to enable a contract to be negotiated without competition with Johnsons Printers of Nantwich, in the sum of £2,366.00 for the printing of 750 colour copies of the Draft Neighbourhood Development Plan (or in the alternative, the black/white version).

The reasons for waiving regulation 11(g) are:

- If three quotations are sought for printing the plan, this will delay the start of the Regulation 14 consultation process by at least one calendar month.
- The Parish Council has a long-standing business relationship with Johnsons Printers; and
- The cost of printing is on a sponsorship basis; ie. the Council is charged for the cost of the paper only, with the design work being free-of-charge.

- 4 The Council has previously agreed that paper copies should be made available at the following locations. Members are asked to agree the number to be provided at each. 100 is suggested:
  - Nantwich Library, Beam Street, Nantwich
  - Civic Hall, Nantwich (agreed by Town Clerk)
  - Community Hall – Tuesdays only (11.00 am – 1.00 pm) staffed by the Clerk
  - Co-Op Store, Cronkinson Shopping Parade
  - Pear Tree School (agreed by Head Teacher)
  - Stapeley Broad Lane Academy (Agreed by Principal)

Steering Group Members are asked to consider if they have the capacity to collect the paper copies and deliver them to the locations listed above. Delivery would need to coincide with the start date of the consultation. See item 7 below.

- 5 It is prudent to allow for a small number of copies to be made available on request for those residents who are unable to visit any of the locations and do not have access to the Internet. 30 spares have been included in the calculations.
- 6 The Clerk has prepared the letter which will accompany the Draft Plan (copy enclosed). ...
- 7 Taking into account printing lead-time and other time constraints, the following is the suggested timeline.
  - o Following comments by the Parish Council, the Draft Plan to be amended and made available for printing Friday, 25 March 2016.
  - o Printing of document to be completed by Friday, 8 April 2016.
  - o The Clerk is currently populating a group e-mail with 500 e-mail addresses for the purposes of electronic consultation.
  - o The Clerk will collect 150 copies from Johnsons on 11 April. During the next two-three weeks, she will be able to envelope, label and post the document to land-owners/developers, as identified by the Steering Group, subject to address labels being provided by the Steering Group.
  - o **This means that the start date of the consultation would be 2 May.** In the event of address labels not being provided, the Clerk will need to hand-write the envelopes and this will add a further two weeks.
  - o The six-week formal consultation (paper and electronic) must commence simultaneously. The start date will be dependent upon the above.
- 8 Comments on the Plan will be submitted via the Neighbourhood Plan dedicated e-mail address 'hello@stapeley.org.uk'. Comments made by post will be sent to Box No. 288, Stapeley & District Parish Council, Nantwich, CW5 9DQ and will be sent to Councillor Hillman's home address.
- 9 A draft response form is enclosed, although the Steering Group will have its own views on how responses should be submitted. ...
- 10 At the conclusion of the consultation period, the Steering Group will amend the Draft Plan as appropriate. This will be re-submitted to the Parish Council for approval.
- 11 The Draft Plan, as approved by the Parish Council, will be submitted to Cheshire East Council which will then publicise it for a six-week period. This will be a further opportunity for consultees to make comments.
- 12 During the publicity period, Cheshire East Council will start the process of appointing an independent examiner. The selection of the examiner is a matter for the Parish Council to decide. A list of three potential examiners will be notified to the Council and it will be for the Council to select the most appropriate.

The Clerk will add an item to the agenda for the Annual Meeting suggesting that the Steering Group be given delegated authority to appoint the Independent Examiner.

### **8.30 PM – 9.00 PM**

## **6 FINANCIAL MATTERS**

### **6.1 Authorisation of Payments**

The Parish Council is asked to authorise the following payments.

£687.50	Jof's Mowing	Invoice 1215 for garden maintenance of communal area on Talbot Way and grounds at Community Hall March 2015 – December 2015
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## **7.2 Local Plan Strategy**

Formal consultation on the Local Plan Strategy commenced on 4 March 2016 and concludes on 19 April 2016. A copy of the e-mail received from Adrian Fisher (Cheshire East Council) is enclosed. ...

Members are invited to submit observations on the Strategy. As the next meeting is 18 April, this item could be deferred to April.

## **8 REPORT OF BOROUGH COUNCILLORS**

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

## **9 INFORMATION ITEM – COMMUNITY GOVERNANCE REVIEW NANTWICH AND SURROUNDING PARISHES**

At its meeting held on 14 March 2016, Nantwich Town Council's Policy Committee considered a motion to be submitted to the Town Council with a recommendation that Cheshire East Council be asked to conduct a community governance review of Nantwich Town Council and adjacent parishes. The motion has been submitted, partly on the basis that the residents of Stapeley use the facilities and services of the town without making the same contribution as existing residents (in terms of contribution to the precept).

The proposer states that to ensure that the Town Council can continue to provide facilities and services to the wider area, it is desirable in the longer-term for the boundary of Nantwich to be extended and for councillor numbers and warding to be reviewed.

Community Governance Reviews are matters for principal councils and this will be for Cheshire East Council to consider.

## **10 DATE OF NEXT MEETING**

18 April 2016

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

## **12 WORKPLACE PENSIONS**

(Reason for exclusion: relates to Clerk's employment)

To consider the Clerk's report. ...