



# STAPELEY & DISTRICT PARISH COUNCIL

Clerk: Carol Jones

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## NOTICE ANNUAL MEETING OF THE PARISH COUNCIL

Parish Councillors are summoned to a meeting to be held on:

**DATE:** **THURSDAY, 16 MAY 2019**

**TIME:** **7.15 PM OR ON THE LATER RISING OF THE  
ANNUAL PARISH MEETING (WHICH STARTS AT 7.00 PM)**

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

Enquiries to: Clerk: Carol Jones

Tel: 01270 812065

Date of issue: 10 May 2019

*C. M. Jones*

To: Members of the Parish Council  
(Councillors E Boughey, J Davenport, M Docker, S Ford, G Gwinn,  
S Gwinn-Freemantle, J Hillman and M Theobald)

Copies: Borough Councillors Peter Groves and Andrew Martin (Nantwich South and Stapeley)  
and K Nord

**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 sufficient spare copies of the agenda are available.

## NOTES:

### 1 PUBLIC SPEAKING PROTOCOL:

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** 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  |
|   |  | 15 | Conflict with Neighbourhood Plan policies           |

### **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.

Note: Parish Councillors will have signed their respective Declarations of Acceptance of Office prior to the start of the Annual PARISH Meeting to be held earlier in the evening.

# AGENDA

## **PART 1**

### **ANNUAL COUNCIL BUSINESS**

#### **1 ELECTION OF CHAIRMAN**

- 1.1 To elect a Chairman to serve until the Annual Meeting in 2020. The Chairman will call for nominations.
- 1.2 The Chairman will sign a Declaration of Acceptance of Office, following which the newly-elected Chairman will chair the meeting.

#### **2 ELECTION OF VICE-CHAIRMAN**

- 2.1 To elect a Vice-Chairman to serve until the Annual Meeting in 2020. The Chairman will call for nominations.
- 2.2 The Vice-Chairman will sign a Declaration of Acceptance of Office.

#### **3 APOLOGIES FOR ABSENCE**

Apologies for absence should be notified to the Clerk prior to the commencement of the meeting.

#### **4 DECLARATIONS 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 circumstances.

#### **5 MINUTES**

To approve as a correct record the Minutes of the Meeting held on 15 April 2019.

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#### **6 ELECTIONS – 2 MAY 2019**

##### **6.1 Current Position**

At the elections on 2 May 2019, there were only eight nominations submitted, (seven for Stapeley and one for Batherton). There are 10 seats on the Parish Council and there are, therefore, two vacant seats.

##### **6.2 Co-Option**

The Parish Council has a period of up to six months to co-opt to these vacancies.

The Council is invited to consider co-opting former councillors Keith Nord and Peter Groves. Keith Nord did not submit nomination papers by the deadline date of 3 April 2019 and Peter Groves is eligible for co-option only as he does not qualify on other criteria.

## 7 REVIEW OF DELEGATION ARRANGEMENTS (COMMITTEES)

In accordance with S.101 of the Local Government Act 1972, the Parish Council is able to delegate any of its functions (subject to one exception) to a Committee or Sub-Committee. Notwithstanding that a delegation is authorised, the Council is still able to perform any functions which it has delegated to a Committee.

- **Complaints Committee**

The only standing committee is the Complaints Committee. The current membership is Councillors M Docker, J Hillman, K Nord and M Theobald.

The Council is asked to appoint five Members to the Committee.

A copy of the Complaints Procedure is enclosed for information. This has been revised to take into account GDPR as enshrined in the Data Protection Act 2018.

## 8 APPOINTMENT OF MEMBERS TO OUTSIDE BODIES

The Parish Council is invited to appoint members to represent the Council either as members of the outside body or to attend their meetings.

- **Stapeley Parish Action Group**

To appoint two Members to Stapeley Parish Action Group. The current Members are Councillors Elizabeth Boughey and John Davenport.

- **Cheshire Association of Local Councils** (various meetings)  
There are several meetings throughout the year and it is suggested that one parish councillor be appointed, with one named substitute.
- **Police Cluster Meetings** - one (a substitute can also be appointed)

## 9 ANNUAL ACCOUNTS 2018-2019

**9.1** The Clerk has been unable to comply with the deadline date for audit of the accounts by the Internal Auditor; however, the auditor has agreed to carry out the audit during June 2019. This means that the accounts which comprise the Annual Governance and Accountability Review will be submitted to the Parish Council meeting on 17 June 2019, subject to completion of the internal audit.

The External Auditor (PKF Littlejohn) has agreed to an extension to its own deadline date of 1 July 2019. It might be possible to meet this deadline, but the safer option was to extend.

At the June meeting, the following documents will be submitted.

- Annual Governance and Accountability Return (Part 3) – 2018-2019  
(Following review by the Internal Auditor)  
The Parish Council will be asked to first approve Section 1 – Annual Governance Statement.  
The second stage will be to approve Section 2 – the Accounting Statements.  
At its meeting on 5 June 2019, the Council will be asked to first approve Section 1 – Annual Governance Statement.  
The second stage will be to approve Section 2 – the Accounting Statements.
- Bank reconciliation for the year 1 April 2018 to 31 March 2019.
- Fixed Assets list for 2018-2019. Members will be asked to confirm the list/amend.

### **9.2 Review of Effectiveness of Internal Audit – 2018-2019**

The Council will be required to review the internal audit process for the year under review as this is part of the documentation required by the External Auditor.

**10 MEMBERS' ATTENDANCE RECORD – MUNICIPAL YEAR MAY 2018-2019**

To receive a schedule of Members' attendance for the municipal year 2018-2019. Although the Parish Council is not required to comply with the Transparency Code, this will be published on the Council's website in the interests of best practice.

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**11 REVIEW OF RISK MANAGEMENT ARRANGEMENTS**

The Council is required to review its risk management arrangements once a year. A schedule is enclosed for consideration and approval subject to any amendments which Members might wish to make.

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**12 CALENDAR OF MEETINGS**

To approve a calendar of meetings for the year 2019-2020.

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**13 NEW CODE OF CONDUCT**

The Parish Council is invited to adopt the Code of Conduct 2019 which has been approved by Cheshire East Council and is now being rolled out to town and parish councils. The document has the CEC branding, but can be revised in due course.

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The adoption of this Code will require all Members to complete a new Register of Interests form which will be sent under separate cover.

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**PART 2**  
**ORDINARY PARISH COUNCIL BUSINESS**

The following items represent the ordinary business of the Parish Council and have been included on the agenda for this meeting in the interests of expediency.

**14 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. Please see page 2 of the agenda 'Public Speaking Protocol'.

**15 AUTHORISATION OF PAYMENTS**

The Council is asked to authorise the following payments:

£tba	Crystal Clean Ltd. – Cleaning of Community Hall.
£20.00	Target Windows – Community Hall window cleaning.
£201.60	HMRC – Tax on Clerk's salary
£1,008.00	Cheshire Association of Local Councils Affiliation fee 2019-2020
£520.00	Came & Company – annual insurance premium. (1 June 2018 – 31 May 2019).
£250.00	Chairman's allowance (Ss 15(5) and 34(5) LGA 1972)
£250.00	Armstrong Fire Management Ltd Fire Risk Assessment of the Community Hall

£34.50	Shire Pay Services Ltd. Payroll service for the first quarter in 2019-2020
£546.80	Stapeley Parish Action Group – approved 18 March 2019 Replacement for cheque 001189 which appears to have gone astray.

## 16 PLANNING APPLICATIONS

The Parish Council is invited to submit observations on the following planning applications.

19/1848N	Land at Broad Lane, Stapeley Proposed development of two detached houses at infill land.
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The deadline date for observations was 15 May 2019. The Case Officer has agreed to accept observations after the meeting.

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19/2095N	134 London Road, Stapeley CW5 7JN Two-storey extension and new roof over existing rear extension re-submission of approved application 18/5649N
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Deadline date for observations: 29 May 2019.

The Parish Council considered planning application 18/5649N at its meeting on 19 November 2018, at which time, no observations were made.

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19/2190N	2 Hodgkin Close, Stapeley, CW5 7GJ Prior approval of larger home extension, pitched roof rear extension.
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Deadline date for comments: 22 May 2019

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19/2081N	24 Haydn Jones Drive, Stapeley CW5 7GQ Rear single-storey extension
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Deadline date for comments: 22 May 2019

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19/0888N	Installation of car park barrier – Cronkinson Farm Pub
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The Parish Council considered this application at its meeting held on 18 March 2019 and submitted objections to Cheshire East Council (CEC).

CEC has approved the application. The resident who made a complaint to Borough Councillor Peter Groves about this application, renewed his objections once the application was approved.

The Clerk has written to Marston's Brewery acknowledging that the planning decision must stand, but asking the Brewery if it is willing to address the concerns of both the Parish Council and the residents.

A copy of the letter is enclosed.

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## 17 CHESHIRE EAST BOROUGH COUNCILLORS' REPORTS

Neither of the Borough Councillors are available to attend this meeting owing to a scheduling conflict.

**18 CONNECTED COMMUNITIES FRANCHISE**

The Parish Council is asked to review the enclosed GRIPP assessment. There are specific items which require Members' views/decisions. ✎

Community Hall – Regular Usage

The Clerk has received a number of enquiries from potential regular clients and has recently declined one requested for regular activity as the Parish Council is waiting to be informed about the procedure for allocating the five hours required to be made available weekly under the Connected Communities scheme.

The Clerk has contacted the lead Officer at Cheshire East Council on several occasions and is awaiting a response. In the meantime, a copy of the Community Hall bookings schedule for May is enclosed to show that there are very few slots available. ✎

**19 THE GREAT STAPELEY GET TOGETHER – 7 JULY 2019**

At the previous meeting, the Parish Council agreed to hold 'The Great Stapeley Get Together' on 7 July 2019. Unfortunately, the community hall has already been booked.

Members are asked to agree another date.

**20 CLERK'S INFORMATION REPORT**

To receive the Clerk's information report. Much of the contents are items which fall within the ambit of Borough Councillors Peter Groves and Andrew Martin, both of whom have confirmed that they will report to the June 2019 meeting. ✎

**21 PARISH NEWSLETTER**

The Parish Council is asked to decide if there are any other items to be included in the newsletter and to agree a date for publication and distribution.

**22 EXCLUSION OF PRESS AND PUBLIC**

The 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 transacted and the public interest would not be served in disclosing that information.

**23 CLERK'S SALARY**

To authorise changes in the bank mandate in respect of the Clerk's salary. A letter of authority will be available for signature.

**24 DATE OF NEXT MEETING**

**17 June 2019**