

STAPELEY & DISTRICT PARISH COUNCIL

Clerk: Carol Jones

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www.stapeleyparishcouncil.gov.uk

Parish Councillors are summoned to a
MEETING OF THE PARISH COUNCIL

DATE: MONDAY, 15 SEPTEMBER 2014

TIMES: 7.30 pm

VENUE: STAPELEY COMMUNITY HALL,
PEAR TREE FIELD, STAPELEY

Enquiries to:

Clerk: Carol Jones

Tel: 01270 812065

Date of issue: 9 September 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.

A G E N D A

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. **M Docker, P Groves, J Hillman and K Nord**

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 - 21 JULY 2014

To approve as a correct record, the Minutes of the meeting held on 21 July 2014

...

7.35 pm – 7.45 pm

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.**

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.

7.45 pm – 8.00 pm

5 CHESHIRE EAST BOROUGH COUNCILLORS

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

6 CLERK'S REPORT (for information)

To receive the Clerk's report.

...

7 CLERK'S ACTION

To report that the following action has been taken by the Clerk, in consultation with the Chairman, since the July meeting:

- Finalisation of special edition newsletter (all Members received the final copy prior to printing)
- Printing and distribution of newsletter
- Purchase of equipment for the community hall.
- Amendment of Neighbourhood Plan Area application to correct minor errors – (i) Austerson was not listed on the original; (ii) the form did not make specific reference to Batherton; and (iii) reference was made to the Parish Plan of 2008 being used to inform the Neighbourhood Plan; however the 2008 Plan omitted Batherton and it was the later 'refreshed' Parish Plan (2012) which corrected that error.

8.00 pm – 8.15 pm

8 NEIGHBOURHOOD PLAN

8.1 Notes of Meetings of Working Group

To consider the notes of the meetings of the Working Group which met on 23 July 2014 and 3 September. ...

The Working Group has arranged a meeting for 23 September. As there will be no opportunity to report back to the Parish Council prior to the public meeting, **other Members are encouraged to attend this meeting to enable them to be fully prepared for the public meeting (29 September)**. Representatives from Audlem Parish Council together with key stake-holders, will be attending the meeting on 23 September. ...

Members will be interested to note that Audlem Parish Council, which has decided to prepare a Resident First Neighbourhood Plan as part of a full Neighbourhood Plan, has initiated the following as a means of engaging its community:

- An on-line form inviting local residents to comment/ask questions and/or volunteer to be a part of the process. The form to be completed requires full name, address and e-mail details, none of which will be published but allows the Parish Council to be assured that those who complete the form are eligible to participate in the process.

The main purpose of the form is to enable the Neighbourhood Planning Steering Group to identify issues of importance and to set up working groups as necessary. Initially, as the Plan is the Resident First approach, the focus will be on site allocations.

- During the summer holidays, a competition for school-children was arranged for three age groups. They were asked to tell the Parish Council how they would like Audlem to look in five, 10, 15 or 20 years in the future.

8.2 Meeting hosted by Cheshire East Council – 2 September 2014

Cheshire East Council hosted a meeting for town and parish councils which were proposing to prepare a Neighbourhood Plan. The power-point presentation from the meeting has been forwarded to all Members.

8.3 Parish Meeting – 29 September 2014

To consider arrangements for the Parish Meeting to be held on 29 September 2014. Members will also wish to consider the likely impact of the Secretary of State's decision in respect of the Muller Homes Public Inquiry if it is available at that time.

An early draft of the newsletter was issued to the Secretary and Chairman of Stapeley Parish Action Group (which meets this evening); copies of the finalised newsletter have been delivered to Sue Pritchard of Stapeley House Technology Park.

John Heselwood from Cheshire Community Action, has confirmed that he will be attending the public meeting. Mr Heselwood is the Cheshire Community Action Policy and Development Manager and is responsible for managing the Community-Led Planning Service. Mr Heselwood will be using Power Point to make his presentation.

Members are asked to note that although John Heselwood will attend the public meeting, the lead support Officer and main point of contact for support in the future will be Andrew Thomson. This is part of the Neighbourhood Planning support provided by Cheshire Community Action (funded by Cheshire East Council).

Members are invited to agree a format for the meeting. The following is suggested for consideration:

- (i) Welcome and introduction by Chairman.
- (ii) Mr Heselwood to outline what a neighbourhood plan is and the process by which it can be achieved (using a Power Point presentation).
- (iii) Questions from members of the public (to be responded to by John Heselwood; the Chairman; or a member of the Working Group, as appropriate).
- (iv) Members of the Working Group to outline progress to date.
- (v) Key stakeholders (if present) to outline from their own perspective the benefits of a Neighbourhood Plan.
- (vi) Questions from members of the public (responses to be given as appropriate).
- (vii) Residents to be invited to participate by giving their views about Stapeley now and in the future.
- (viii) Take a vote to establish if there is support for a neighbourhood plan. The two options should be put forward (1) the Neighbourhood Plan as envisaged in the Localism Act 2011; and (2) the fast-track 'Residents First' plan as announced by Borough Councillor Michael Jones. Members of the public should also be given the option of having two Plans using the 'Residents First' as part of a full Neighbourhood Plan. Enclosed is an explanation of the 'Residents First' option, as provided by Tom Evans (Spatial Planning Team – CEC).
- (ix) Announcement of outcome of Muller Public Inquiry (if available).
As Members are aware, the Secretary of State's decision has been delayed again. The Clerk issued a press release on 1 September.

The Parish Council already has a standing decision to prepare a Neighbourhood Plan (Minute No. 224.2 – 6 February 2014); however, as the decision was made more than six months ago, that decision can be changed/amended without a rescission notice. If there is support for a Neighbourhood Plan at the public meeting, the Parish Council will be able to make arrangements to set up a Steering Group at the October meeting. The Clerk has drafted Terms of Reference for the Group.

To avoid any delay in the process, the Parish Council is recommended to reaffirm its previous decision to the effect that a Neighbourhood Plan should be prepared (of whatever type), subject to support by residents at the public meeting on 29 September 2014. This will allow the preparation of a full Neighbourhood Plan or a Resident First as a precursor to the full Neighbourhood Plan.

8.4 Keeping It Simple

The Clerk issued the enclosed publication 'Keeping it Simple' by Tony Burton (Locality UK), to Members of the Working Group. This will also be of interest to other parish councillors. ...

9 SOCIAL MEDIA PROTOCOL

In view of the decision to operate Facebook and a Twitter account (in the Neighbourhood Planning website) in the absence of a Parish Council policy, the enclosed is the draft policy which the Cheshire Association of Local Councils (ChALC) currently observes. It should be noted that this is still in draft form and has not yet been ratified by the ChALC Board. ...

8.15 pm – 8.45 pm

10 COMMUNITY HALL

Members are asked to note the following which will have a financial impact.

The Parish Council is responsible for the damage caused by vandalism. The Clerk will be seeking quotations in due course; however, it is suggested that no action be taken at present in view of the increased level of vandalism.

Damaged vent at front of hall

Guttering

A more robust type of guttering is required.

General Risk Assessment

To note that Cheshire East Council does not have a general risk assessment for the building. The Parish Council will need to consider this at some stage, taking into account the mixed-use of the building.

11 FINANCIAL MATTERS

11.1 Authorisation of Payments:

The Parish Council is asked to authorise the following payments –

£tba	Crystal Clean – cleaning of community hall – August (Cheque payable to “Mrs C Black”)	
£tba	MBE Electrics – fitting of equipment at community hall	
£48.00	CVS Cheshire East – Ratification of payment. Cheque has been issued.	
£240.00	BDO LLP – fee for audit of accounts 2013-2014	
£243.00	Johnsons Printers, Nantwich – printing of special edition newsletter	
£216.00	Fusion Logistics – distribution of special edition newsletter (£180 net and £	...
£161.10	Mrs C M Jones – travel expenses (see attached schedule)	...
£76.44	Holdfast Security Systems – replacement of community hall kitchen lock (£62.22 plus £12.44 VAT)	...

11.2 Receipts and Payments Statement (First Quarter) Budget Monitoring (2014-2015)

At the previous meeting there appeared to be an additional £25 in the Parish Council's bank account. Having reviewed the accounts again, the Clerk issued a revised document to Members, by e-mail. This is now enclosed, together with a budget-monitoring statement for the first quarter of the financial year and a draft variances schedule. ...

11.3 External Auditor’s Report – BDO LLP (Accounts 2013-2014)

The report of the external auditor is enclosed. The report states ‘*the Internal Auditor has noted a few issues in the financial systems of the Council.*’

This is inaccurate. The Internal Auditor was not concerned about the *financial systems* but rather that they were not observed on one occasion. The *systems* of the Council are satisfactory; however, the Parish Council failed to observe its own financial regulations in respect of the collection of VAT which should be once a year. BDO’s recommendation is that the Council must ‘*implement the recommendations made by the Internal Auditor to improve the financial systems of the Council as soon as possible, or in any event before the end of the current financial year.....*’. The VAT will be re-claimed, but this will not improve the financial systems, as they are already in place.

The other issue raised was simply a suggestion that in view of the repeal of S.150(5) of the Local Government Act 1972, the Parish Council might wish to consider its method of payment of invoices. It appears unnecessary for the external auditor to reference this as the Parish Council has a duty to consider the Internal Auditor’s recommendations and, in fact, at its June meeting decided to continue with the current practice of signature of accounts by two parish councillors, but to review the matter in the longer term.

12 CHESHIRE ASSOCIATION OF LOCAL COUNCILS (ChALC)

As part of its review of Area Working, ChALC has established a number of thematic boards, one of which is ‘Rural Matters Board (East)’. The others are (1) Community and Environment and (2) Economic Development.

The Rural Matters Board is holding its first meeting on 30 September at Byley Village Hall, Middlewich at 7.00 pm and the Parish Council is inviting to nominate two representatives to attend the meeting.

13 COMMUNITY RESILIENCE and FLOOD RESPONSE – WORKSHOP

The Parish Council is invited to participate in a table-top workshop to be held on 22 October (Westfields, Sandbach) from 1.30 pm – 4.30 pm. The purpose of the workshop is to discuss and participate in a simulated emergency situation.

Places are limited and are offered on a ‘first come, first served’ basis.

14 EXCLUSION OF PRESS AND PUBLIC

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

8.45 pm – 9.10 pm

15 COMMUNITY HALL LEASE

It is expected that the lease will be available at the meeting. The Parish Council is asked to authorise two parish councillors to act as signatories to the lease. The previous lease was signed by Councillors J Hillman and K Nord.

16 PAYMENTS TO HMRC IN RESPECT OF CLERK’S SALARY

CVS Cheshire East, which manages the Council’s payroll service, has now reviewed payments to HMRC for the tax years 2013-2014 and 2014-2015. A schedule showing the calculations is enclosed.

Members will note –

- There is an outstanding amount of £202.03 for the tax year 2013-2014.
- There is an outstanding amount of £213.19 for the current tax year. This takes into account the payment due at this meeting for the September payroll.

The Parish Council is asked to approve a total payment of £415.22 to HMRC which represents tax and employer's NI contributions as shown on the schedule.

17 RE-ADMITTANCE OF PRESS AND PUBLIC

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

18 COMMUNITY HALL SIGN

At the previous meeting, the Parish Council approved a quotation submitted by Ken White Signs Ltd. for the provision of a free-standing 'Community Hall' sign.

Subsequent to that, the Clerk contacted Cheshire East Council (CEC) requesting approval to erect the sign. This requires formal planning application and will cost £110.00 to submit the application.

Legal advice from CEC is to the effect that as the Parish Council is occupying the hall 'at will' it would be unwise to submit a formal application at this stage, and the Parish Council should wait until a new lease has been signed.

The final draft lease is to be considered under agenda item 15 above.

19 REVIEW OF WEBSITE

(Item requested by the Chairman, Councillor S Gwinn-Freemantle)

The Chairman has suggested that as the new website has been operational for some time, Members might wish to review the content and design.

20 PLANNING MATTERS

20.1 The Parish Council is invited to comment on the following planning applications.

14/3885N 122 London Road, Stapeley
Bedroom attic conversion requiring new roof pitch and gables

14/3862N Horse Shoe Inn, Newcastle Road, Willaston
Outline application for the demolition of the former public house and outbuildings and erection of up to four residential units with all matters reserved, except for means of access.

Planning Appeals

14/0622N The Cedars, Wybunbury Lane, Stapeley –
Outline application with all matters reserved for erection of dwelling.

This application has been refused and has been appealed by the applicant. Representations are invited by 18 September 2014. This application does not appear to have been submitted to the Parish Council at consultation stage; however, this is an opportunity for Members to comment on the merits of the application and submit representations to the Inquiry. The appellant's grounds of appeal are on-line at www.planningportal.gov.uk/pcs.

13/4904N Land off Wrens Close, Stapeley, Nantwich
Full planning permission for 11 dwellings

This appeal is to be heard on 23 September at 10.00 am at the Alexandra Stadium, Gresty Road, Crewe.

20.2 Technical Planning Consultation

The Department for Communities and Local Government has published a number of new proposals to make practical improvements on earlier planning reforms. For ease of reference, a copy of the consultation document is enclosed. ...

The National Association of Local Councils is inviting comments from town and parish councils to inform its own submission. Comments are required by 19 September 2014.

21 PARISH NEWSLETTER

To receive a first draft of the newsletter. It is suggested that this be issued mid to end of October. It should be noted that the article on Neighbourhood Planning is subject to the outcome of the discussion under item 8 above. ...

22 FUTURE MEETINGS

- Neighbourhood Plan Working Group meets on 23 September 2014
For parish councillors only.
- Parish Council meeting 20 October 2014