

STAPELEY & DISTRICT PARISH COUNCIL

Clerk: Carol Jones

Tel: 01270 812065 e-mail: carol.jones@stapeleyparishcouncil.gov.uk

www.stapeleyparishcouncil.gov.uk

Parish Councillors are summoned to a
MEETING OF THE PARISH COUNCIL

DATE: MONDAY, 20 APRIL 2015
TIMES: 7.30 pm
VENUE: STAPELEY COMMUNITY HALL,
PEAR TREE FIELD, STAPELEY

Enquiries to: Clerk: Carol Jones

Tel: 01270 812065

Issue date: 13 April 2015



Signed

To: Members of the Parish Council
Councillors 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*. 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 generally held at Stapeley Community Hall. When the meeting is held at Broad Lane Methodist Chapel, car parking is available at the rear of the Chapel.

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.

AGENDA

Guide Times:

7.30 pm – 7.35 pm

1 APOLOGIES

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 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

To approve as a correct record the Minutes of the meeting held on 16 March 2015, the same to be signed by the Chairman. ...

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.

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 which is for information. ...

7.45 pm – 8.10 pm

7 DELIVERY OF NEWSLETTER

Following the dissolution of Fusion Logistics (Macclesfield branch only) the Clerk has made contact with the Leaflet Team which distributes for other local councils in Cheshire East.

The company has quoted £135 for what is described as Solus distribution. This means that it is a bespoke delivery service and there are no other items delivered at the same time to compete for attention. There is no VAT as this is zero-rated.

As the cost is under £500 there is no requirement to seek other quotations. The Parish Council might wish to engage the company for one distribution and then evaluate the effectiveness. At present, there are no planned newsletters, but Members might wish to publish an edition later in the year (August/September).

RECOMMENDED: That The Leaflet Team be engaged to deliver the next newsletter at a cost of £135.00.

8 ELECTIONS – 7 MAY 2015

The Statement of Persons Nominated was published on 10 April 2015. There are seven candidates for 10 seats and all will be returned unopposed. These comprise one for Batherton parish and six for Stapeley parish.

At the Annual Meeting on Thursday 21 May 2015 the Council will be invited to co-opt to the remaining seats.

9 COMMUNITY HALL

9.1 Revised Hire Agreement

Enclosed is a revised hire agreement. This has been reviewed by the Legal Adviser and although Members have previously commented that the document is too large, only minor amendments have been made. ...

If Members are minded to remove some of the terms, these can be reported back to the Legal Adviser for comment. The Clerk's view has always been that whilst the document is lengthy and it is possible that users might not read it, the terms are intended to protect the Parish Council (and its users) and to provide clarity in respect of liability. The document will bind all parties, irrespective of whether users read it.

9.2 Perimeter Fencing/CCTV

The issue of perimeter fencing has been followed up again by both the Clerk and Borough Councillor Peter Groves.

9.2.1 Perimeter Fencing

The Clerk has notified CEC Officers that the Parish Council's preference is for 2 metre high palisade fencing to surround the whole compound with pedestrian and vehicle access gates at the entrance and a further pedestrian gate to the side adjacent to the MUGA to allow for egress in the event of fire. The fencing would be painted either red or green to be more aesthetically-pleasing. At its meeting held on 17 November 2014, the Parish Council agreed that this would be the best option as 'pound for pound' the fencing would be more robust than mesh fencing and would be difficult to compromise.

CEC appears minded to approve the request, but it is likely to require a formal planning application. The Council is asked to authorise the Clerk to prepare the planning application. A determination of the application could take as long as 8 weeks and in these circumstances, the order for fencing could not be placed until the end of June 2015, some 7 months after the Parish Council's decision was made. Further delay can only exacerbate the problems currently being experienced at the hall. As reported previously, the fabric of the building is likely to suffer from the lack of guttering and drain-pipes and Members have agreed that on a cost basis, there is little advantage in purchasing new guttering as it is likely to be damaged/removed.

The fencing will provide reassurance to hall users who frequently complain that low-level nuisance often inhibits their use of the community hall; for example, youths throwing missiles,

playing sports games on the car park, aiming footballs at the hall windows and gathering around the porch, often leaving empty soft drink cans and food wrappings; this is despite the fact that there is a new litter-bin adjacent to the MUGA.

When the car park is fully enclosed, this will prevent access by unauthorised users. It will also assist the cleaning staff who carry out some of their cleaning later in the evenings and are wary about being alone in the hall at night. The cleaning schedule is now re-arranged to be carried out during the day whenever possible, especially during the summer months when anti-social activity is increased.

Although CEC has previously stated that it has no funding for the fencing, either in whole or in part, Borough Councillor Groves has been exploring the possibility of a 50% contribution. In his discussions with Borough Councillor Michael Jones (Leader of the Council) Councillor Groves has been advised that CEC is not in a position to contribute to the funding at this time. However, the full funding for the fencing has been included in the budget for 2015-2016. As the source of funding is from the 'public purse' it will have little impact on the Council-tax payers in the parish whether it is funded by the Borough Council or the Parish Council.

9.2.2 CCTV

Councillor Groves reports that Councillor Jones has suggested the Parish Council might wish to consider installing CCTV as a means of reducing the vandalism. Mark Cotton, Cheshire Police Crime Reduction Adviser, attended the Parish Council meeting on 7 November 2013, at which time he informed the Council of his role in the Police and offered general advice in respect of security at the community hall. His advice was that CCTV was not an effective means of reducing vandalism, partly because of the poor quality of the images. The Parish Council eventually voted against installing CCTV and removed it from the budget proposals.

As an experiment, a dummy camera was fixed at the hall, with a warning sign on the door and this was removed by vandals within a few days of its installation.

Notwithstanding the above, if the Parish Council wishes to consider purchasing a CCTV system in addition to perimeter fencing, it would be possible to *vire* funds from other budget heads.

Budget Lines 27, 28, 29 and 30 - Neighbourhood Plan: £6,650

Elsewhere on the agenda, the Parish Council is asked to approve a grant application for outside funding for the Neighbourhood Plan (NP) process, in the sum of £8,000. If this grant is successful, it will have the effect of releasing the allocated NP funding which could be used to purchase a CCTV system.

8.10 pm – 8.40 pm

10 AUTOMATED EXTERNAL DEFIBRILLATOR (AED)

The Clerk has now issued the formal order to Defib Shop for a fully automatic AED based on advice received.

An Officer from NW Ambulance Trust (NWAT) is due to inspect the Co-Op premises to confirm that the building is suitable for the AED. As soon as the AED is delivered, arrangements can be made for this to be installed. Mr Blair (NWAT) has advised that a qualified electrician should install the equipment and it is suggested that MBE Electrics be asked to fit this, as the company currently carries out most of the electrical work at the community hall.

A Memorandum of Understanding is enclosed. This has been provided by NWAT and sets out the responsibilities of the two parties, ie. NWAT and the Static Responder Site (in this case, the Co-Op Store). ...

After the equipment is installed, Members will need to consider the following:

- Publicity to inform the community of the location of the equipment.
- Awareness/training sessions to be arranged as close as possible to the time of fixing the AED to the wall of the Co-Op store. The training will help to provide

assurance to all potential users of the equipment, including staff at the Co-Op store, that they will not be legally liable in the event of resuscitation efforts failing.

- Users will need to be assured that they cannot worsen a patient's condition by using the equipment and this can be achieved through awareness sessions which can be arranged at the community hall, delivered by NWAT Officers.
- CPR training can be provided as part of the awareness sessions. This is an essential component of this scheme. If there is more than one person present when a patient has a sudden cardiac arrest, one person will carry out CPR whilst the other person collects the AED.

The following is general information in respect of victims of either sudden cardiac arrest (SCA) or heart attack which has been copied from the National Heart, Lung and Blood Institute website.

An SCA is not the same as a heart attack. An SCA is where the heart unexpectedly and abruptly stops beating. This is usually caused by an abnormal heart rhythm called *ventricular fibrillation (VF)*. Most people who have an SCA die from it, often within minutes. Rapid treatment of SCA with a defibrillator can be life-saving. The defibrillator restores the heart to its normal rhythm.

A heart attack is a condition in which the blood supply to the heart muscle is suddenly blocked, resulting in the death of the heart muscle. Heart attack victims usually, but not always, experience chest pain and usually remain conscious. Heart attacks are serious and sometimes will lead to SCA during recovery from a heart attack; however, SCA may occur independently from a heart attack and without warning signs and can occur in people who appear healthy and have no known heart disease or other risk factors for SCA.

It is important that CPR is performed immediately; once the AED has been brought to the victim, CPR can cease and the AED will take over. The reason for starting CPR rather than waiting for the AED is that it provides some circulation of oxygen-rich blood to the victim's heart and brain. This circulation delays both brain death and the death of heart muscle. CPR also makes the heart more likely to respond to defibrillation.

11 NEIGHBOURHOOD PLAN

11.1 Steering Group Minutes

To receive the Minutes of the Meetings held on –

- 19 February 2015
- 24 March 2015

...
...

Members will note from the Minutes of the 24 March 2015 that reference was made to a Constitution for the Group, as tabled by Andrew Thomson. The constitution referred to is the

Terms of Reference (ToR) for Bunbury Neighbourhood Plan Steering Group. The Parish Council is reminded that it has already approved its own ToR at the meeting held on 20 October 2014. A further copy is enclosed for ease of reference.

...

11.2 Evaluation of Consultation Responses

The Steering Group to report progress on evaluation of the responses to the second consultation issued in March. Members of the Steering Group will also wish to report on the 'drop-in' day held on 28 March 2015 at the Community Hall.

11.3 Consultation Comments (Muller)

Muller Property Group has commented on the second consultation. This was issued to Members under separate cover.

Andrew Thomson (Planning Consultant) has drafted a response to the comments made by Muller and this is enclosed for Members' approval. ...

11.4 Application for External Funding

The Parish Council is invited to approve the enclosed application for external funding in the sum of £8,000, to complete the Neighbourhood Plan process. ...

The funding period will be from 30 April 2015 and will last for six months (or until the end of the financial year), whichever is the earliest. The fund must, therefore, be spent by 30 October 2015.

The application must be supported by a quotation for consultant's technical fees and a project plan. The quotation for consultant's fees has been provided. A model project plan was provided by Locality and this has been completed as far as possible by the Clerk, based on the Steering Group's timeline (enclosed). The yellow highlighted sections will require input from the Neighbourhood Plan Steering Group. If this can be provided in time for the meeting, it will avoid delaying the application. ...

11.5 Neighbourhood Planning Seminar – 31 March 2015 (Macclesfield)

Councillor Hillman to report on the Planning Seminar. The power-point presentation has been forwarded to Members under separate cover.

8.40 pm – 9.10 pm

12 PLANNING

12.1 Working Group

The Parish Council is invited to set up a small working group of Members which can work with Mr Adrian Cox and his client in respect of development of a plot of land at Haymoor Green.

Although the Parish Council is not the determining body, Members are reminded of their obligation to adopt an impartial approach. An objective consideration of material facts when the planning application is submitted, is the correct place for the views to be expressed. However, there is benefit to both parties in engaging in pre-application discussions.

It must be made clear that discussions are not binding and that Members might not, necessarily, hold the same views when the planning application is eventually submitted to the Parish Council.

Subsequent to the last meeting, Mr Cox suggested that his client's proposals could be considered for inclusion in the Neighbourhood Plan. This was considered by the Steering Group on 24 March 2015 and the Minutes of that meeting were sent to Mr Cox. His response is enclosed for consideration either by the full Parish Council or for the Steering Group at its next meeting. ...

Mr Cox plans to attend the meeting with his client, and will address the Parish Council under the Public Question Time slot.

12.2 Planning Appeal

14/4421N 3 Pollard Drive, Stapeley
Proposed works to relocate an existing garden wall to the site boundary (approx. distance of 3.1m) allowing the extension of the Existing garden area within the wall.
Appeal Ref. APP/R0660/D/15/3004463

The applicant has lodged an appeal against the Local Planning Authority's refusal of the above application. The appeal will be determined on the basis of written representations.

12.3 Planning Application

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

15/0906N 20A London Road, Stapeley, CW5 7JL
Proposed double garage

Deadline date for comments: 15 April 2015. The Clerk has requested an extension.

13 FINANCIAL MATTERS

13.1 Authorisation of Payments

The Parish Council is asked to authorise the following payments:

£210.00	Johnsons Printers	Printing of special edition newsletter
£151.00	Johnsons Printers	VAT on invoice approved at March meeting. Note: payment was made based on the quotation, but the invoice, subsequently received, includes VAT.
£136.21	Scottish Power	Unmetered electricity. (£129.72 net and £6.49 VAT)
£600.00	Hall, Smith, Whittingham LLP	Legal work associated with renewal of the community hall lease and review of the hiring agreement. (£500.00 net and £100.00 VAT)
£357.18	HM Revenue & Customs	This represents an under-payment across the year 2014-2015. It comprises tax on the Clerk's salary and employer's NI contribution. This will bring the Parish Council up-to-date. The Clerk is awaiting confirmation of this amount from CVS Cheshire East which manages the payroll service.

The following payments also need to be approved. The Clerk will report the amounts to the meeting.

£ tba	Crystal Clean	The invoice will be available at the meeting.
£ tba	HM Revenue & Customs	Tax on Clerk's salary (for month one of the new tax year commencing 6 April 2015)
£ tba	Cheshire East Council	Fee for planning application for 'community hall' sign.
£ tba	Cheshire East Council	Fee for planning application for perimeter fencing at community hall
£ tba	Richard Brown	Servicing of community hall central heating system on 15 April 2015. The Clerk has authorised the service under delegated powers contained in paragraph 11 (b) (j) of the Financial Regulations.

13.2 Appointment of Internal Auditor (2015-2016)

The Parish Council is invited to appoint JDH Business Services as the internal auditor for 2015-2016.

14 WEBSITE CONTENT/DESIGN

Members have previously agreed to review the content and design of the website. It is understood that no specific suggestions have been provided to Councillor Jo Hillman who had agreed to collate suggestions. Given the amount of work currently facing the Parish Council, predominantly the Neighbourhood Plan, Members might wish to defer this until later in the year.

15 DATE OF NEXT MEETING

Thursday, 21 May 2015

7.00 pm	Annual Parish Meeting To include presentation of draft Neighbourhood Plan (or update on progress)
7.30 pm	Annual Council Meeting

Members are reminded that the **Annual Parish Meeting** is held on the same evening as the Annual Meeting of the Parish Council. These are two separate and distinct meetings but are held for convenience on the same evening.

The Parish Meeting must assemble annually between 1 March and 1 June. Proceedings must not begin before 6 pm. Decisions are taken by a majority of those present and voting, ie only local government electors registered for the parish. If present, the Parish Council Chairman must chair the Parish Meeting. In her absence, the Vice-Chairman must preside if he is present; otherwise the meeting must elect its own chairman from those present. A Parish Meeting may discuss parish affairs, and resolutions may be passed which the Parish Council is obliged to consider but not necessarily accept.

This will also provide an opportunity for the Neighbourhood Plan Steering Group to present the draft Neighbourhood Plan, or provide an update on progress. This will be regarded as part of the evidence of on-going consultation with the community.

At the **Annual Parish Council Meeting**, the Chairman and Vice-Chairman are elected to serve for the following year. This is also the meeting where insurance arrangements are reviewed, policies are up-dated and Members are appointed to committees and outside bodies.

For convenience, ordinary business is also dealt with at this meeting.

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

17 WEBSITE RENEWAL

(Reason for exclusion: commercial sensitivity)

To consider the enclosed quotation for domain renewal and hosting.

...