

# 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 SEPTEMBER 2015

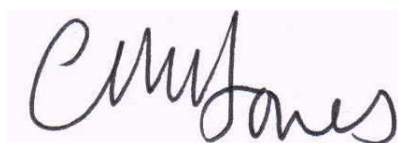
**TIMES:** 7.30 pm

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

Enquiries to: Clerk: Carol Jones

Tel: 01270 812065

Issue date: 14 September 2015



Signed

To: Members of the Parish Council  
Councillors 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

## 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.

## 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

### 3.1 Minutes – 10 August 2015

To approve the Minutes of the Extra-ordinary Meeting held on 10 August 2015. ...

### 3.2 Minutes – 17 August 2015

To approve the Minutes of the Meeting held on 17 August 2015. ...

## 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.**

## 5 POLICE MATTERS

To receive a report from the local PCSO.

## 6 CLERK'S REPORT

There is no separate Clerk's report this month; however, the following items are reported for information.

### (a) Speed Limit: A51 (London Road)

A resident has been in communication with the Ward Councillors over several months about (i) the noise of the traffic on London Road, following the road re-surfacing; and (ii) the speed of

traffic. She asked about the possibility of changing the speed limit from 40 mph to 30 mph on the residential part of London Road which would be from the traffic lights at the junction with Peter de Stapleigh Way/Elwood Way up to Deadman's Lane. The resident has lived on London Road for seven years and is of the view that traffic volume has increased.

The Ward Councillors referred this to CE Highways which has reviewed the situation and advised that this section of road is highly unlikely to meet the criteria for a further speed reduction.

(b) Muller S.288 Appeal to the High Court

To report that the Secretary of State has now received all responses in respect of Muller's challenge and the Council will be informed shortly when the Secretary of State has decided how to deal with the matter.

(c) Automated External Defibrillator (AED)

As the Co-op Store no longer wishes to be associated with this scheme, the Clerk has written to the landlord at The Cronkinson Farm Pub to enquire if he would agree to the AED being affixed to the pub's outside wall. NW Ambulance Trust has confirmed that this is an appropriate location.

Members are reminded that the AED and cabinet was delivered some weeks ago and is currently stored at the Clerk's house.

(d) Notice-Boards

The notice-board outside Stapeley Broad Lane Academy has now been removed. The Head Teacher has requested that as the footway is narrow, any replacement should be fixed at a sufficiently high level to avoid children's heads.

The Clerk is seeking quotations for a replacement notice-board to be fixed to the wall outside the Co-op and these can be considered at the meeting in October.

## **7 COMMUNITY HALL**

### **7.1 Perimeter Fencing**

Following the meeting held on 20 July 2015, the Clerk asked each of the two companies which had submitted quotations for perimeter fencing, to provide the additional information requested by Members.

One of the companies which quoted for perimeter fencing is due to carry out a further site visit week commencing 14 September. This item will, therefore, be deferred to the October meeting. As the quotation was provided almost 12 months ago, the contractor wishes to refresh his recollection of the site and to discuss the requirements in more detail..

The second contractor has provided additional information and this will also be considered at the October meeting.

### **7.2 Signage – Planning Application No. 15/2719N**

The Clerk has withdrawn the planning application for erection of the 'community hall' sign. One of the Enforcement Team subsequently advised that formal permission was not required as the size of the sign complied with regulations which obviate the need for planning permission. The Clerk asked CEC to refund the £55.00 fee (this is 50% of the full fee); however, the cost of validating and processing the application would have cost more than the submitted fee, and a refund cannot be made.

The Clerk has now placed the order for the sign. Members will recall that the company supplying the sign (Ken White Signs) is on a supply-only basis and a contractor will be required to install the sign when it arrives. At the time of publication of the agenda, delivery of the sign is imminent.

## **8 FINANCIAL MATTERS**

### **8.1 Authorisation of Payments**

The Parish Council is asked to authorise the following payments:

£207.10	HMRC	Tax on Clerk's salary (£177.80 plus £29.30 employer's NI contribution)
£240.00	BDO LLP	Audit of accounts 2014-2015 (£200 net and £40 VAT)
£tba	MBE Electrics	Removal of notice-board from wall of Stapeley Broad Lane Academy.
£tba	Crystal Clean Ltd	Cleaning of the community hall and opening/closing for private parties
£160.00	Broad Lane Methodist Chapel	Meetings of the Neighbourhood Plan Steering Group: Jan–July 2015 inclusive @ £20 per meeting

### **8.2 Box Number for Receipt of Consultation Comments (Neighbourhood Plan)**

£144.00 or £168.00	Royal Mail	Setting up of Box No. for 6 months for receipt of comments during the Draft Plan consultation period.
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An application for a Box No. is partially-completed. There are options for delivery/collection of post using this method.

- (1) Post can be collected from a local delivery office (£144.00 for six months)
- (2) Post can be delivered to an individual's address (£168.00 for six months)

It is suggested that the commencement date for use of a Box No. should be 1 October 2015 (the minimum period for use of a box is six months).

As the purpose of the Box No. is for Neighbourhood Plan Steering Group Members to receive the comments on the Draft Plan during the consultation period, either the Chairman of the Steering Group or one of the other Members could be listed as the recipient of the post. An alternative is for the appointed Member to collect post from a local delivery office.

Two different pieces of evidence are required to prove address. As some of this information will be of a personal nature, it is suggested that the completed form be provided, together with the cheque, to the Member whose address will be listed as the recipient of the post. The application form will be submitted in the Clerk's name.

### **8.3 Budget Monitoring – 1 April – 31 August 2015**

Financial statements, including budget monitoring, are usually submitted quarterly; however, as the Parish Council is required to make a decision under agenda item 15 below, Members will wish to consider the current and projected financial position. ...

#### 8.4 External Audit Report (BDO LLP)

BDO LLP has concluded its external audit of the Council's accounts for 2014-2015.

The auditor has commented that the Council has failed to include all additions or replacements of fixed assets, in Box 9 of the annual return. The Clerk is currently seeking an explanation as there has been no change in assets between 2013-2014 and 2014-2015.

### 9 NEIGHBOURHOOD PLAN STEERING GROUP

#### 9.1 Minutes

To receive the minutes of the Steering Group meetings held on 3 September 2015 and 9 September 2015. ...

#### 9.2 Membership

To note that Mary Hennessy-Jones (Head Teacher, Pear Tree School) has resigned from the Steering Group owing to pressure of work. The remaining volunteer members of the Steering Group are as follows:

Val Ingram	(representing Stapeley Parish Action Group with Noel Wagstaff as substitute)
Pat Cullen	
Sue Pritchard	

#### 9.3 Newsletter

The Neighbourhood Plan newsletter was printed during the second week of September and is expected to be delivered by the end of the month. At the previous Council meeting, Members were keen to maintain the impetus and to publish an additional newsletter within a month.

At its meeting to be held on 24 September, the Steering Group might wish to consider the contents of the next newsletter and forward articles to the Clerk. If the newsletter is to be distributed by the end of October, the timeline for each stage would be as follows, subject to confirmation by Johnsons the Printers and The Leaflet Team.

- By 28 September Articles to Clerk
- By 2 October Clerk produces draft for issue to all Members of the Parish Council
- By 8 October Members to suggest amendments.
- By 13 October Clerk makes editorial amendments and re-issues to Members
- By 15 October Comments on revised document to be submitted to Clerk.
- 16 October Clerk issues to Printers.
- 30 October The Leaflet Team delivers to all households

### 10 PLANNING

#### 10.1 Planning Applications

The Parish Council is invited to comment on the following planning applications which can be viewed on the Cheshire East Council website viewing online [By Clicking Here](#)

**As there are no viewing facilities at the community hall, Members are encouraged to inspect the planning applications on-line prior to the meeting.**

15/3836N	144 Audlem Road, Nantwich, CW5 7EB Outline permission for residential development for up to 104 Dwellings (Use Class C3) and land for expansion of Brine Leas School (Use Class D1)
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A paper copy of the site layout will be available for inspection. A copy of the Transport Assessment (5MB) will be forwarded to Members under separate cover.

Deadline date for comments: 1 October 2015

15/4125N Manor Bank Barn, 2 Old Newcastle Road, Willaston.  
Proposed ground floor extension to rear of property.

Deadline date for comments: 15 October 2015

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To note that the following planning application was received for consultation purposes. The deadline date for comments was 9 September 2015 and if the Parish Council wished to comment, an additional meeting would have been arranged. The Clerk notified Members of receipt of the application but there was no request for a meeting.

15/3661N 78 Broad Lane, Stapeley  
Side extension and internal alterations, including amendments to access.

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Members are reminded that Parish Councils can only consider the applications before them on their merits and are not able to make enquiries about applications prior to submitting observations. Cheshire East Council (CEC) does not have the capacity to respond to queries from consultees. Following validation of a planning application, CEC, as the Local Planning Authority (LPA) must make a determination as soon as possible, but no later than 8 weeks.

Although time limits on determination can be extended, these are where the applicant and the LPA agree, but cannot be extended for the benefit of consultees.

## **10.2 Nantwich South By-pass**

Members will be aware that Borough Councillor Michael E Jones, Leader of Cheshire East Council, has asked residents of the borough (through the local press) to make suggestions for improving traffic-flow in and around Nantwich. A copy of the press report is enclosed. ...

Members are invited to consider if the Parish Council should forward any suggestions to Councillor Jones.

## **11 CHESHIRE EAST BOROUGH COUNCILLORS**

Borough Councillors Andrew Martin and Peter Groves to report on Cheshire East Council matters of interest which will include noting the appointment of the following new staff members:

- Director of Children's Services
- Director of Planning
- Neighbourhood Planning Support Manager

## **12 PARISH COUNCILLOR SURGERIES LOCAL COUNCIL AWARD SCHEME (FORMERLY 'QUALITY COUNCIL' SCHEME)**

Members have previously expressed interest in working towards achieving the Local Council Award.

One of the criteria is engagement with the community. Although there are planned events linked to the Neighbourhood Plan, the Council might wish to re-introduce Parish Councillor surgeries. As the Neighbourhood Plan makes progress, this is an additional opportunity to engage with residents about the Plan itself. As the Steering Group is proposing to use the community hall for one of its launch events, the two purposes could be combined.

To make the surgeries more attractive to residents, the local PCSO could be asked to attend to allow residents to raise any issues about anti-social or criminal behaviour. Tea, coffee and biscuits could be provided for all who attended.

If these proved to be of interest to residents, they could be held regularly, possibly bi-monthly on a specific day (Saturday mornings?).

**13 DATE OF NEXT MEETING**

**19 October 2015**

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

**15 HOUSING NEEDS ASSESSMENT**

The Parish Council is invited to consider quotations for the preparation of a Housing Needs Assessment to inform the Neighbourhood Plan. The Clerk's report is enclosed.

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