

STAPELEY & DISTRICT PARISH COUNCIL

Clerk: Carol Jones

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Parish Councillors are summoned to a
MEETING OF THE PARISH COUNCIL

DATE: THURSDAY, 3 APRIL 2014

TIMES: 7.30 pm

VENUE: BROAD LANE METHODIST CHAPEL,
AUDLEM ROAD, NANTWICH


(Note: Please use rear entrance which is accessed via Bishop's Wood)

Enquiries to:

Clerk: Carol Jones

Tel: 01270 812065

Date of issue: 27 March 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 and Keith Nord

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 – 7.40 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. **Councillor M Theobald**

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 – 6 MARCH 2014

To approve as a correct record the Minutes of the Meeting held on 6 March 2014. Please note that minutes, having been distributed either with the agenda or prior to issue of the agenda, are “taken as read”.

Previously distributed

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.

7.40 pm – 8.10 pm

5 CHESHIRE EAST BOROUGH COUNCILLORS

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

6 COMMUNITY HALL

The Parish Council is invited to consider the following matters associated with the community hall.

(A) Nantwich Town Council

At its meeting held on 3 October 2013, the Parish Council agreed to accept the assistance of Nantwich Town Council to assist in operating the hall, at an annual fee of £5,000. That decision still stands. It is now six months since the decision was made and the Parish Council is invited to review this matter.

It has previously been reported that owing to various legal restrictions, it would be impracticable for the Parish Council to use the services of Nantwich Town Council staff. The Parish Council is therefore asked to rescind that decision. There is no requirement to submit a formal rescission notice as six months has elapsed; nor is it necessary to replace the decision with an alternative.

(B) Fees and Charges

At the previous meeting, Councillor J Hillman agreed to make enquiries of other village/community halls to establish what would be an appropriate rate of hire for the community hall.

Following enquiries made by the Clerk and Councillor Hillman, a schedule of charges made by halls across Cheshire is enclosed. Members may find it helpful to bring their own copy of the current hall hire charges which were issued with the agenda for the March meeting. ...

(C) General Risk Assessment of the Building

Mary Hennessy-Jones, who was a member of the former Community Hall Committee, agreed to carry out a general risk assessment of the building. As the Head Teacher of Pear Tree School, she was appropriately qualified. The Committee was de-commissioned before this could be undertaken. The Parish Council is invited to decide how this should be carried out.

(D) Arrangements for Regular Inspections in Accordance with the Legionella Risk Assessment

A Legionella risk assessment was carried out by Hertel on behalf of Cheshire East Council. Members are invited to agree arrangements for any checks required under the Risk Assessment.

(E) Periodic checks of Fire Equipment

(F) Arrangements for employing a “handy-man” who could carry out minor internal repairs to the building.

(G) Appointments Committee

To report on the meeting of the Appointments Committee held on 31 March 2014 and consider any recommendations.

(H) Sports-Booker On-Line Booking System

At its meeting held on 9 January 2014, the Parish Council was invited to authorise payment of a Sports-Booker invoice in the amount of £576 for the period 1 September 2013 – 31 August 2014). Members approved payment of £336 for the period to 31 March 2014.

The Parish Council is invited to consider if it wishes to continue using the Sports-Booker on-line system of bookings.

(J) Purchase of free-standing “Community Hall” sign

The Parish Council is invited to consider purchasing a free-standing sign for the Community Hall. In the absence of precise measurements and materials, it is difficult to obtain quotations or estimates.

This type of signage appears to fall within the class 2(C) of the “Town and Country Planning (Control of Advertisements) Regulations 2007” which applies to “any religious, educational, cultural, recreational, medical or similar institution.....” The sign must not exceed 1.2 square metres in area. Cheshire East Council, as the landlord, will need to give formal consent to the installation of a sign.

An alternative option is to purchase a free-standing notice-board which could carry the name “Stapeley Community Hall” and this would also allow publicity for events and activities taking place in the hall. The Clerk’s research on the Internet indicates that this would be approximately £600.

8.10 pm – 8.25 pm

7 OPEN SPACES – CRONKINSON ESTATE

The Clerk to report receipt of information from Cheshire East Council Assets Manager in respect of transfer of land under the S.106 Agreement.

8 DEFINITIVE MAP OF STAPELEY AND BATHERTON

The Clerk has issued an extract of the working copy of the definitive map, Stapeley, to Members (10 Mar 14). The Clerk has not yet located a hard copy of the definitive map for Stapeley and Batherton. However, the Public Rights of Way Unit is of the view that the interactive map is the most appropriate method of viewing it as it is updated regularly.

The link for the interactive map has been issued to Members and to the Secretary of Stapeley Parish Action Group.

9 LAND ADJACENT TO CHERRY TREE PUMPING STATION

As Members are aware, Stapeley Parish Action Group made enquiries about ownership of the land adjacent to the pumping station and land adjacent to it at Cherry Tree Close. The Clerk’s report is enclosed; the report outlines the background and the current situation. ...

The Parish Council is invited to consider what action should be taken.

10 CALENDAR OF MEETINGS

At the previous meeting, Members agreed that Parish Council meetings should be held in the community hall rather than Broad Lane Methodist Chapel. To achieve this, the meetings would need to be held on either a Monday or a Tuesday as there were regular bookings on all other evenings.

A draft calendar, based on the third Monday of each month, is enclosed for initial consideration. There are some occasions when it is not possible to hold a meeting on the third Monday and alternatives have been provided for consideration. ...

The calendar will be submitted to the May meeting for formal approval, subject to any amendments made at this meeting.

8.25 pm – 8.45 pm

11 FINANCIAL MATTERS – AUTHORISATION OF PAYMENTS

The Parish Council is asked to authorise the following payments –

£tba	Crystal Clean – cleaning of community hall (Cheque payable to “Mrs C Black”)
£455.00	Johnsons Printers – printing of parish newsletter
£216.00	Fusion Logistics – distribution of newsletter (£180.00 net £36.00 VAT)
£174.44	HM Revenue & Customs – tax on Clerk’s salary This represents the new rate from 1 February 2014 (£168.08) and arrears for February (£6.36).
£2,645.00	Hall, Smith Whittingham – legal services in respect of preparation of Brief and instructions to expert Counsel in respect of the Muller Homes Public Inquiry (£2,204.50 net: £440.90 VAT).

12 PURCHASE OF TWO AUTOMATED DEFIBRILLATORS

The Parish Council has approved, in principle, the purchase of two AEDs during the current financial year. Members received a presentation from North-West Ambulance Trust at its January 2014 meeting.

It is suggested that the following broad specification be approved to enable quotations to be sought. This specification has been suggested by NW Ambulance Trust. Members might wish to add other requirements.

- Semi-automatic defibrillator
- Warranty period of 5 years
- 4 year lifespan
- Pads with 2 year shelf life
- Spare set of pads

13 PLANNING APPLICATIONS

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

- Proposed Upgrade of existing radio base station installation – Peter de Stapleigh Way (A5301). (Forwarded to Members on 10 March 2014).
Observations are invited by midnight on 3 April 2014.
- 14/0908N - The Paddocks, Foolpeny Hall – Change of Use: applicant Red Wellies Nursery
- 14/1109N – 2 Mottram Drive, Stapeley – Three-storey extension to side

13.2 Local Plan

The Local Plan has been adopted. A copy will be available at the meeting, but Members are encouraged to view it on-line on the Cheshire East Council website. The consultation period is from 14 March – 25 April 2014.

13.3 Electronic Consultation on Planning Applications

Cheshire East Council (CEC) has notified Town and Parish Councils that consultation on planning applications is changing.

At present most Town and Parish Councils receive a full copy of paper drawings through the post. CEC is now introducing an e-mail notification system with all Town and Parish Councils, similar to that which is sent to Cheshire East Council Members and all other stakeholders.

The e-mail will include a direct link to the individual planning application details, which can either be downloaded or viewed online. **Note: In future, this e-mail will be forwarded to all Members who will be able to view the applications and be prepared for the meeting at which comments will be invited.**

CEC is introducing the new procedure for all “minor” planning applications, such as household extensions and schemes of fewer than 10 houses. The Parish Council will continue to receive a copy of the paper plans for any major planning applications in the area, unless CEC is notified that it would prefer consultation on major applications also to be electronically.

The new consultation procedures will be introduced from 1st April 2014.

Why move to electronic consultation?

- It is faster and more secure. Local councils are notified sooner giving more time for assessment and comment.
- It saves valuable resources by reducing paper, printing costs, staff time and postage.
- At Planning Committees all members can view the plans at the same time or well in advance of the meeting, dependent on how the committee operates.

8.45 pm – 8.55 pm

14 NEIGHBOURHOOD PLAN

To consider the Clerk’s report which outlines the process for preparation of a Neighbourhood Plan and also asks the Parish Council to consider suggested Terms of Reference for the Working Group which was set up at the February 2014 meeting. ...

15 SPEED WATCH SCHEME

15.1 The Parish Council currently has a contract with TWM Traffic Control Systems to move the speed units around the parish every three weeks. This was introduced on the grounds of health and safety as it was hazardous for the two parish councillors to continue to move the equipment.

The contract is coming to an end and the Parish Council is asked to confirm that it wishes to continue with this arrangement. A quotation will be available at the meeting.

15.2 Councillor M Docker who holds the laptop equipment for the downloading of the data is willing to continue being responsible for this aspect of the scheme, but suggests that another parish councillor be appointed to carry out some of the more technical aspects.

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 STAFFING MATTER

Reason for exclusion:

The matters to be discussed relate to the Clerk’s employment and are therefore exempt from public discussion.

To report that the Clerk has now passed the Certificate in Local Council Administration which is a sector-specific qualification and, in accordance with her contract of employment, this requires the Parish Council to appoint her to the next salary point.

The Clerk's report is enclosed and the Parish Council is asked to approve the recommendation. ...

18 COMMUNITY HALL LEASE

Reason for Exclusion

The Council will be considering legal advice.

At the time of publication of the agenda a revised lease has not been provided.

19 RE-ADMITTANCE OF PRESS AND PUBLIC

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

20 CHESHIRE EAST COUNCIL TOWN AND PARISH COUNCILS CONFERENCE

Parish Councils are invited to nominate two representatives to attend the above Conference which is to be held on 1 May from 6.00 pm to 8.30 pm (venue to be advised).

Note: This is a provisional date and may be changed.

8.55 pm – 9.05 pm

MATTERS FOR INFORMATION

21 CORRESPONDENCE

To report receipt of correspondence received since the last meeting.

- Cheshire Association of Local Councils Annual Meeting – October 2014
- Nantwich LAP Highway Reports

22 SHARED ITEMS

Members who represent the Parish Council on outside bodies are invited to share information in respect of any activities of those bodies.

Members are also able to share any other relevant information. If such information is available before the meeting, Members are asked to forward this direct to parish councillors.

Members are also able to request the inclusion of items on the agenda for the next meeting but these can be raised outside the meeting by contacting the Clerk at least 7 clear days before a meeting. When framing motions, Members are asked to set out the purpose of the item, the matters to be taken into account and the decision required.

23 PUBLIC QUESTION TIME

This is a further opportunity for members of the public to ask a question or address the Parish Council.

24 DATE OF NEXT MEETING

8 May 2014 – Annual Meetings – to be held in the Community Hall

The Annual Parish Meeting commences at 7.00 pm. This is for registered electors in the parish. This is a legal requirement and residents who are not registered electors within the parish are not able to speak at this meeting.

The Annual Parish Council Meeting follows on the rising of the Parish Meeting but will not be before 7.30 pm.