

STAPELEY & DISTRICT PARISH COUNCIL

Clerk: Carol Jones

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Parish Councillors are summoned to a
MEETING OF THE PARISH COUNCIL

DATE: THURSDAY, 6 FEBRUARY 2014

TIME: 7.30 PM


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

Enquiries to:

Clerk: Carol Jones

Tel: 01270 812065

Date of issue: 30 January 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)
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:

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 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.

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 January 2014**
- **Extra-ordinary Meeting – 28 January 2014**

#

To follow

To approve as correct records the Minutes of the Meetings held on 6 January 2014 and 28 January 2014.

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.

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 – 7.45 pm

5 CHESHIRE EAST BOROUGH COUNCILLORS

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

7.45 pm – 8.20 pm

6 PUBLIC INQUIRY (MULLER HOMES) – 18 FEBRUARY 2014

To consider matters in respect of representation at the Public Inquiry, some of which need to be dealt with in the absence of the press and public.

Councillor Nord will appear as the Parish Council's representative, but to ensure that all evidence submitted has been approved by the Parish Council, any evidence which is outside that already submitted in writing needs to be authorised at this meeting, in broad terms.

Councillor Nord is unable to attend on day one of the Inquiry, and Members might wish to appoint another Member to attend for that first day only. The purpose would be to observe the proceedings and offer information/advice to Ruth Stockley if needed.

7 RESCISSION OF RESOLUTION (STANDING ORDER NO. 10)

**7.1 Notice of Motion – Proposed Rescission of Resolution
Community Hall – Lease with Cheshire East Council
(15 Minutes)**

In accordance with Standing Order No. 10 (Rescission of Resolution), three parish councillors, namely Mike Docker, Matthew Theobald and Keith Lawrence, have submitted a written request for the decision taken under Minute No. 121 (Community Hall – Future Use) made on 5 September 2013, to be rescinded.

The Notice of Motion is enclosed for consideration. #

**7.2 Notice of Motion – Proposed Rescission of Resolution
Neighbourhood Planning
(15 Minutes)**

In accordance with Standing Order No. 10 (Rescission of Resolution), three parish councillors, namely Matthew Theobald, John Davenport and Martin Malbon, have submitted a written request for the decision taken under Minute No. 150 (Neighbourhood Planning) made on 7 November 2013, to be rescinded.

The Notice of Motion is enclosed for consideration. #

8 COMMUNITY HALL

Dependent on the outcome of Item 7.1 above, the following are for consideration.

8.1 Managing the Community Hall

The Village Halls Adviser (Cheshire Community Action) has been asked to provide a specimen job description for a caretaker/key-holder for the community hall, together with an indication of an appropriate salary. **(To be provided under separate cover.)**

8.2 Appointments Committee

Councillors S Gwinn-Freemantle, M Docker and J Hillman comprise the Appointments Committee. Raj Samra was also a Member and the Parish Council is asked to appoint a replacement for her.

The Committee could meet to discuss/develop an appropriate job description/person specification for an individual(s) to act as caretaker/key-holder for the community hall.

9 FINANCIAL MATTERS

9.1 Authorisation of Payments

The Parish Council is asked to authorise the following payments –

£161.72	HM Revenue & Customs – tax on Clerk’s salary
£345.00	Jof’s Mowing – Maintenance of communal area Talbot Way – June 2013 – January 2014
£139.23	Scottish Power (period 30 September 2013 – 31 December 2013) £132.60 net and £6.63 vat
£(tba)	Crystal Clean – community hall cleaning – January

10 PLANNING

10.1 Planning Applications

At the time of publication of the agenda, there are no planning applications for consultation.

8.20 pm – 8.25 pm

11 ITEMS REQUESTED BY PARISH COUNCILLOR

11.1 Open Space (footway) between Talbot Way and Multi-Use Games Area

This item has been requested by Councillor J Hillman who invites the Parish Council to consider lighting this area. Members are reminded that the budget for 2014-2015 has already been agreed and this item was not considered at that time.

The Clerk has made enquiries of Cheshire East Highways (which is no longer operated by Cheshire East Council) in respect of its own policy on street lighting, particularly as there is a national move away from additional street lighting in the interests of reducing light pollution whilst balancing the need for safety.

Cheshire East Highways is under financial pressure to cut the Borough's ever-increasing energy bill as well as maintaining the existing ageing inventory. As such, it cannot become involved in lighting public spaces. The current policy is to remove existing lighting where possible and deemed safe to do so.

If the Parish Council were to install its own lighting, it (the Parish Council) would be responsible for the electricity supply, maintenance and repair of the light(s).

8.25 pm – 8.35 pm

12 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.

13 FENCING AROUND CONSERVATION AREA – TALBOT WAY

Reason for Exclusion

In each case, the information is commercially sensitive and it is not in the public interest to reveal the identities of the companies, nor the quotations.

To follow

The Minutes will record the name of the company which is awarded the contract.

To consider quotations for the reinstatement of fencing at Talbot Way. Each of the contractors has already indicated that they could not start the work until towards the end of March.

14 PUBLIC INQUIRY – MULLER HOMES

Reason for exclusion

The information could be regarded as legally privileged.

The Clerk to report on a recent meeting with the Legal Adviser and Counsel.

15 RE-ADMITTANCE OF PRESS AND PUBLIC

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

8.35 pm – 8.45 pm

MATTERS FOR INFORMATION

16 CORRESPONDENCE

To report receipt of correspondence received since the last meeting.

- SPAG Newsletter (This has now been uploaded onto the Parish Council's website on the home page)
- Cheshire Community Action: Neighbourhood Planning Seminar - Wednesday, 19 March (10.00 am – 12 noon) at University of Chester Academy, Northwich
- Cheshire East Council Partnerships newsletter.

17 SHARED ITEMS

Members who represent the Parish Council on outside bodies are invited to share information in respect of any activities of those bodies, including attendance at -

- Parish Plan Implementation Group (SPAG),
- Cheshire Association of Local Councils' meetings; and
- Local Police Cluster meetings.

Councillor Hillman will report, by exception, on her monthly inspection of land at Talbot Way.

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.

18 PUBLIC QUESTION TIME

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

19 NEXT MEETING

Date: 6 March 2014