

# 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 MARCH 2014

**TIMES:** 7.00 pm - 7.30 pm - David Wilson Home  
Planning presentation

7.30 pm Parish Council Meeting

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

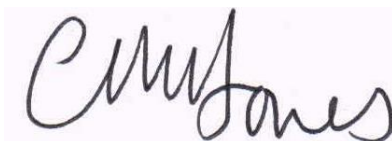
Enquiries to:

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Date of issue: 27 February 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.

# AGENDA

## **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 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**

- 6 February 2014 #
- Extra-ordinary Meeting – 28 January 2014 #
- Extra-ordinary Meeting – 14 February 2014 #

To approve as correct records the Minutes of the Meetings held on 6 February, 28 January and 14 February 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 – 8.15 pm**

**6 COMMUNITY HALL**

**6.1 Caretaker/Manager for the Community Hall**

The Village Halls Adviser (Cheshire Community Action) has provided a specimen job description for a caretaker/key-holder for the community hall and indicated that the rate of pay would be national minimum wage.

Members are invited to consider how to proceed.

As the arrangement with Nantwich Town Council still exists, albeit it has not yet been enacted, the Parish Council can consider the appointment of a caretaker, or similar, without impacting the previous decision, which will lapse through inactivity.

**6.2 Fees and Charges**

To review the fees and charges for hire of the community hall. The current list is enclosed.

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**7 NEWSLETTER**

To consider the enclosed draft newsletter.

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**8 FINANCIAL MATTERS**

**8.1 Authorisation of Payments**

The Parish Council is asked to authorise the following payments –

|           |   |
|-----------|---|
| £161.72   | HM Revenue & Customs – tax on Clerk’s salary  |
| £380.00   | Bob Hindhaugh Associates Ltd – work associated with Public Inquiry  |
| £65.00    | Johnsons Printers – compliments slips for use by the Clerk.   |
| £tba      | Crystal Clean – cleaning of community hall (Cheque payable to “Mrs C Black”)  |
| £400.00   | Cheshire East Council – purchase of additional copies of the Muller Homes Planning applications (12/3746N and 12/3747N) for the barrister.    |
| £3,540.00 | Hall, Smith, Whittingham – fees for Counsel services in connection with preparation of brief for the Public Inquiry (£2,950 net and £590 VAT) |

(Members are asked to note that the payments above (£400.00 and £3,540) have already been paid out and the Parish Council is asked to ratify the payments.)

**8.15 pm – 8.45 pm**

**9 PLANNING**

**9.1 Planning Applications**

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

|          |  |
|----------|--|
| 14/0622N | Outline planning permission with all matters reserved for erection of dwelling: The Cedars, Wybunbury Lane, Stapeley   |
| 14/0746N | Stapeley Broad Lane School: Proposed removal of two mobile classrooms and construction of school extension to provide two replacement classrooms and improved reception and administration facilities.   |
| 14/0506N | 26 Tinkersfield: Two-storey rear and side extension with minor internal Alternations   |
| 14/0753N | 78 Broad Lane, Stapeley – Removal of 4.5m of hedging to allow vehicular Access to property with hard-standing for car.<br>Members are reminded that Councillors Groves and Malbon met the applicant on site, together with a planning officer, to discuss a resolution to her parking problem. |

## 9.2 Muller Homes Public Inquiry – 18 February 2014

To receive an oral report of the proceedings at the Public Inquiry.

The Parish Council is invited to consider if there should be a further public meeting to report back to local residents (this was suggested prior to the 4 February public meeting). In view of the fact that the advice to withdraw Counsel-representation at the Inquiry falls under the heading of “legal professional privilege” it is suggested that there would be little advantage in arranging such a meeting.

## 9.3 Neighbourhood Planning Seminar – 19 March 2014

As reported at the last meeting, the Clerk has reserved two places at the Neighbourhood Planning Seminar to be held on Wednesday, 19 March (10.00 am – 12 noon) at the University of Chester Academy, Northwich. The Parish Council is invited to nominate two Members to attend.

## 10 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.

## 11 COMMUNITY HALL LEASE

### Reason for Exclusion

The Council will be considering legal advice.

Following the meeting with the Legal Adviser earlier in the evening, the Parish Council will be invited to approve the new lease with Cheshire East Council and to agree the hiring terms and conditions.

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## 12 RE-ADMITTANCE OF PRESS AND PUBLIC

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

## 13 VENUE FOR PARISH COUNCIL MEETINGS

The calendar of meetings for 2014-2015 will be submitted to the Annual Meeting on 8 May 2014. In the meantime, Members are invited to give initial consideration to changing the venue for its meetings from Broad Lane Methodist Chapel to the community hall.

The hall is used on the evenings of Wednesday, Thursday and Friday. Members are asked to consider changing meetings from a **Thursday to a Monday or Tuesday**. Members will also need to consider which Monday or Tuesday of the month is preferred. The Clerk would only be available on the third Monday of each month, but is available on all Tuesdays. If either of these days finds favour with Members, a draft calendar can be prepared for consideration and approval at the May meeting.

**8.45 pm – 9.00 pm**

## **MATTERS FOR INFORMATION**

## 14 CORRESPONDENCE

To report receipt of correspondence received since the last meeting.

**15 OPEN SPACES**

The Clerk contacted Cheshire East Council in respect of ownership of the land between Pear Tree Field and the Cronkinson estate (alongside the MUGA). The S.106 Compliance Officer has replied to the effect that she is actively involved with Stapeley Parish Action Group in respect of land ownership on the Cronkinson estate and has attended a site meeting with two of its members.

**16 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.

**17 PUBLIC QUESTION TIME**

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

**18 DATE OF NEXT MEETING**

**3 April 2014**