

# STAPELEY & DISTRICT PARISH COUNCIL

Clerk: Carol Jones

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## NOTICE OF MEETING OF THE PARISH COUNCIL

Parish Councillors are summoned to a meeting to be held on:

**DATE:** THURSDAY, 7 MARCH 2013  
**TIME:** 7.30 PM  
**VENUE:** BROAD LANE METHODIST CHAPEL  
AUDLEM ROAD, NANTWICH

Date of issue: 1 March 2013

Enquiries to: Clerk: Carol Jones

Tel: 01270 812065



Signed \_\_\_\_\_

To: Members of the Parish Council  
Councillors Shaun Clough, John Davenport, Mike Docker, Sandy Gwinn-Freemantle (Chairman), Peter Groves, Jo Hillman, Martin Malbon, Keith Nord and Raj Samra (Vice-Chairman)

Copies: Borough Councillor Andrew Martin (Nantwich South and Stapeley)  
Press: Crewe Chronicle, Nantwich Chronicle, Nantwich Blog, Red Shift Radio, BBC Radio Stoke, Signal Radio, Guardian Series.

**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 sufficient spare copies of the agenda are available.

(See overleaf for other notes for members of the public.)

# 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.

### A) Notice of items

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*).

There is no such thing in law as "urgent business" and if any matter is truly urgent because it must be dealt with before the next meeting, a special meeting should be arranged unless there are delegation arrangements in place to allow the Clerk to take certain decisions, in consultation with the Chairman. (S.101(1) Local Government Act 1972).

### B) Exclusion of Press and Public - General Note on Exclusion:

It is sometimes necessary for individuals other than Members or the Clerk to remain in a meeting when the public and press have been excluded. This depends on the role of the individuals concerned; for example, if they have been invited to the meeting to offer technical or professional advice to Members. However, even in these circumstances, caution needs to be exercised as it would be difficult to hold such individuals to account if they subsequently divulged what was discussed at the meeting.

In the case of other individuals who simply have some background knowledge of the issue, it would be difficult to argue that they should be treated any differently from any other member of the public for the purposes of exclusion. It is important for Members not to allow themselves to get into a position where they are selecting who should remain in the meeting; this could lead to an abuse of procedure and bring the Parish Council into disrepute. It would also enable accusations to be made that some individuals were allowed to exercise undue influence.

## 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.

2.3 Planning Grounds (Material Considerations) 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**

## **PART 1** (in the presence of the press and public)

### **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**

**3.1** To approve as a correct record the Minutes of the Meeting held on 7 February 2013.

**3.2** To approve as a correct record the Minutes of the Extra-ordinary Meeting held on 19 February 2013.

To follow

### **4 MATTERS ARISING**

Members are asked to note that this item should only be used for updates in respect of items in the Minutes.

### **5 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. Please see page 2 of the agenda 'Public Speaking Protocol'. Members of the public are reminded that this is not an opportunity for debate.

Where questions are asked, it shall be for the Chairman to respond to the questioner, unless she is of the view that the response should be given by the Clerk or another parish councillor who may possess the relevant information.

**Each member of the public is entitled to speak once only** in respect of business itemised on the agenda, or on any other matter which falls within the remit of the Parish Council and shall not speak for more than 10 minutes, dependent on the number of speakers in attendance.

If possible, a response shall be given at the meeting; otherwise a written response can be provided to the questioner. Where a statement is made by a member of the public, there is no requirement for a response. There shall be no discussion on any matter raised by questions.

Any parish councillor may move a motion that the subject matter be placed on the agenda of the next ordinary meeting. On being seconded, the matter shall be put to the vote.

The Chairman shall have discretion to extend the public speaking time if she considers it appropriate.

### **6 CO-OPTION TO CASUAL VACANCY**

Notice of the casual vacancy has been published in accordance with Electoral Regulations. If no election is called, the Parish Council will be able to co-opt to the vacancy at the April meeting.

## 7 STAPELEY COMMUNITY HALL

- 7.1 To receive the Minutes of the Management Committee Meeting held on 11 February 2013.

To follow

### 7.3 April Meeting of the Parish Council

The Parish Council is invited to consider holding its April meeting at the community hall. The hall is already booked on each Thursday evening, but Tuesday, 12 and Tuesday, 19 are both available.

## 8 PARISH NEWSLETTER

The newsletter has been changed significantly since the last meeting and the Clerk has not yet been able to finalise it for submission to Johnsons for printing. It is expected, therefore, that the printing will not be completed until mid-March, with a distribution date of mid-late March.

## 9 WINTER SNOW KITS

The Parish Council is now in possession of five winter snow-kits. One has already been stored in the Community Hall. The Cronkinson Pub has agreed to store four of them until they are ready for distribution. The Parish Council has previously agreed the following locations –

- Parklands Nursery
- Co-operative Store
- Community Hall
- Cronkinson Farm pub

It has subsequently been suggested by a Member that one of the kits should also be supplied to Clarendon Court Care Home.

Storage in the Community Hall is limited. A new pre-school provider is hiring the hall and wishes to use the office for exclusive use of his equipment; this leaves the Plant Room as the only storage area.

## 10 PLANNING MATTERS

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

13/0679N - 130 London Road, Stapeley – Ground and First Floor Rear Extensions  
Deadline for comments: 20 March 2013

## 11 FINANCIAL MATTERS

### 11.1 Authorisation of Payments

£105.40	HMRC – Tax on Clerk’s salary
£26.69	Councillor S Clough – travel and ink cartridges
£126.59	Mrs C M Jones – (travel expenses - £102.60 and ink cartridges £23.99) based on tax-neutral rate of 45P per mile Audlem-Nantwich return = 12 miles x 19 meetings = £102.60 (The last travel claim was made for the period to 30 June 2012.)

Attendance at fourteen Parish Council meetings

5 July	
2 August	
6 September	
4 October	
1 November	Extra-ordinary meeting
8 November	
13 November	Extra-ordinary meeting
22 November	Extra-ordinary meeting, followed by Finance and Grants Sub-Committee
6 December	
10 January 2013	
22 January	Extra-ordinary meeting
7 February	
19 February	Extra-ordinary meeting
7 March	

Attendance at five Committee/Sub-Committee Meetings

13 August	Communications Sub-Committee
10 December	Community Hall Management Committee
14 January 2013	Community Hall Management Committee
11 February	Community Hall Management Committee
11 March	Community Hall Management Committee

## 11.2 Grant Request

The Vicar of St Chad's in Wyburnbury (the Revd. Helen Chantry) has made initial contact about the possibility of a grant to maintain Wrinehill Cemetery.

The Clerk had asked for information about the number of burials/cremations of Stapeley residents. Subsequent to that, the Clerk has reviewed Parish Council powers and there is no power to make grants to organisations outside the parish. The Parish Council could only make such a grant if there were a Joint Burial Board or other formal arrangement connecting the parishes.

The Parish Council is, therefore, recommended to decline the request.

## 12 DOG-STENCILLING

As the dog-stencilling scheme has fallen into disuse recently, the Parish Council is asked to consider a request from Burland Parish Council which would like to borrow the stencils and purchase a can(s) of spray paint for use along the canal towpaths at Burland.

## 13 WEBSITE REVIEW

The new website was uploaded on 14 February; Members are invited to review the contents and layout of the site.

## 14 NEW WEBSITE CONTRACT

To consider action required to prepare for the new website support contract which is due for renewal with effect from 30 June 2013. The Parish Council might wish to review the specification for the website.

On 6 September 2012, the Parish Council made the following resolution:

**RESOLVED:** *That, as the Parish Council had already paid 2 years registration of the domain name and 2 years renewal of the hosting package to 29 June 2013, the following be agreed:*

- i. *The quotation submitted by Andrew Shepherd (the current provider) for continued support to 29 June 2013 at a cost of £562.50 be accepted;*
- ii. *The introduction of a mailing list be considered in due course as a separate project; and*
- iii. *The provision of support with effect from 30 June 2013 be considered during April 2013 with a view to making a recommendation to the Parish Council in May 2013, and awarding a new contract with effect from 30 June 2013.*

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## **MATTERS FOR INFORMATION**

The following are matters for information. If the Chairman considers it appropriate, Item 13 can be scheduled for earlier in the meeting to allow Borough Councillor Andrew Martin to leave the meeting following his item.

### **15 BOROUGH COUNCILLOR REPORTS**

Councillor Andrew Martin to update the Parish Council in respect of any Cheshire East Council matters of interest.

[Note: Parish Councillor Peter Groves, who is both a parish councillor and a Borough Councillor will also provide updates.]

### **16 LAND AT TALBOT WAY**

Councillor Hillman to report on her inspection of the land at Talbot Way.

### **17 CLERK'S REPORT**

To report that the Clerk has prepared a short article for the next edition of the PACE Newsletter. The article gives details of the opening of the community hall, contact phone No. and e-mail address for bookings.

### **18 CORRESPONDENCE**

To report receipt of correspondence received since the last meeting.

#### **Cheshire East Council**

- Town and Parish Councils Conference – 20 March – 6.30 pm – Congleton Town Hall  
(as there are 107 town and parish councils in the borough, it is suggested that it is appropriate for no more than two parish councillors to attend.)  
Note: This is the same evening as the Communications Sub-Committee.
- Cheshire East Councils media hub: The [Cheshire East Councils media hub](#) provides a summary of all press releases issued by the Council, videos, photos, Twitter-feeds and Communication Team contact.  
Individuals can also sign up to [Cheshire East Direct](#) which is the Council's weekly e-mail news and information service and is a replacement for "Cheshire East News".
- Articles invited for the next edition of PACE newsletter.
- HS2 Briefing

- Highway Schemes in progress and planned
- Nantwich LAP – (19 Feb) – comments on the Local Plan
- Nantwich LAP – (20 Feb) – comments on the Local Plan
  
- CVS Cheshire East – training courses

**19 SHARED ITEMS**

Parish Councillors are invited to share information.

Members are reminded that if they wish to request an item for inclusion on the agenda, it should be notified to the Clerk at least 5 clear days before the meeting. [Standing Order 4(a)]

**20 PUBLIC QUESTION TIME (10 MINUTES)**

The Parish Council is invited to consider any questions from members of the public in accordance with the Parish Council's Standing Order No. 1.

**21 DATE OF NEXT MEETING**

The date of the next meeting is subject to the outcome of the discussion at agenda item No. 7.3 above. The scheduled meeting is 5 April 2013.

**22 EXCLUSION OF PRESS AND PUBLIC**

The Parish Council is invited to **RESOLVE** that, in accordance with Paragraph 1(2) of the Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the meeting during consideration of the following items, for the reasons given, and the public interest would not be served by disclosing the information.

**23 COMMUNITY HALL - COOKER**

Technical difficulties have arisen following the purchase of a cooker for the community hall. The matter is to be considered by the Committee at its meeting on 11 March. Although the financial limits are within the powers of the Committee, it is considered important that this matter be brought to the attention of Members who may wish to make recommendations to the Committee.

**24 BUDGET 2013-2014 – TECHNICAL SUPPORT AND ADVICE FOR POTENTIAL DEVELOPMENTS**

The Clerk to report.