

STAPELEY & DISTRICT PARISH COUNCIL

Clerk: Carol Jones

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www.stapeleyparishcouncil.gov.uk

Parish Councillors are summoned to a
MEETING OF THE PARISH COUNCIL

DATE: MONDAY, 19 JANUARY 2015

TIMES: 7.30 pm

VENUE: STAPELEY COMMUNITY HALL,
PEAR TREE FIELD, STAPELEY

Enquiries to: Clerk: Carol Jones

Tel: 01270 812065

Date of issue: 12 January 2015

Public notice: 10 January 2015



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, 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 generally held at Stapeley Community Hall. When the meeting is held at Broad Lane Methodist Chapel, car parking is available at the rear of the Chapel.

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 –

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|---|--|----|---|
| 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 | | |

A G E N D A

Guide Times:

7.30 pm – 7.35 pm

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

To approve as a correct record the Minutes of the meeting held on 15 December 2014, the same to be signed by the Chairman. ...

7.35 pm – 7.45 pm

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.

5 CHESHIRE EAST BOROUGH COUNCILLORS

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

6 CLERK'S REPORT (for information)

To receive the Clerk's report which is for information. ...

7.45 pm – 8.05 pm

7 FINANCIAL MATTERS

7.1 Authorisation of Payments

The Parish Council is asked to authorise the following payment:

£tba £234.00 plus VAT	Crystal Clean Dame Hygiene Services – installation and provision of service for 12 months (feminine hygiene machine installed in Community Hall).
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7.2 Bank Mandate

At the December 2014 meeting of the Council, Members agreed to increase the Clerk's salary with effect from 1 January 2015. The gross salary is £10,660 and the expected tax liability (to be confirmed) is £2,132. This leaves a net salary of £8,528 and will be £710.66 per month.

The Parish Council is asked to approve a change in the mandate as follows:

Monthly payment to Mrs C M Jones to be amended

From: £672.33
To: £710.66 per month with effect from 1 January 2015.

7.3 Internal Audit Arrangements

Quarterly Receipts and Payments Statements are submitted to the Council, usually in July, October, January and April, dependent upon the date of receipt of the monthly bank statements. To provide a clearer audit trail, it is suggested that the Chairman and one other councillor initials both the Receipts and Payments statement and the bank statements on each occasion that they are submitted, to show that the bank reconciliation as presented by the Clerk, is accurate.

7.4 Receipts and Payments Statement – 1 April – 31 December 2014 Budget Monitoring for the same period

To approve the Receipts and Payments Statement for the period 1 April – 31 December 2014. The following documents, including detailed background documents, are enclosed:

- (i) Receipts & Payments Statement (summary) ...
- (ii) Budget monitoring showing the expected out-turn on 31 March 2015. ...
- (iii) Receipts Ledger for the same period (not for publicity as it names individuals and relates to their business dealings with the Parish Council). ...
A separate document with names redacted, will be made available to the public and press.
In the event of Members wishing to discuss this schedule, reference should be made to the line No. only as a means of identification. ...
- (iv) Community Hall summary income and expenditure schedule together with projections to the end of the financial year. ...

7.5 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.

7.6 Management of Community Hall

Reason for exclusion: The matter relates to contractual arrangements between Crystal Clean and the Parish Council.

The Cleaning Contractor has reviewed the interim arrangements which were put in place in July 2014 whereby the opening and closing of the community hall, for private parties, was included within the cleaning contract duties.

The enclosed report sets out Mrs Black's review of the interim arrangements. ...

The Parish Council is invited to consider the matter.

7.7 Re-admittance of Press and Public

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

8.05 pm – 8.20 pm

8 WEBSITE

8.1 Content

Members have previously agreed to review the content and design of the website. Councillor Jo Hillman has been co-ordinating suggestions from Members.

The Parish Council needs to be aware that any significant changes to the website will have financial implications.

8.2 Renewal of Contract

The current contract for hosting and support of the website is due for renewal in June. Members are asked to consider if they are likely to renew the contract with the same provider.

The Financial Regulations provide for competition to be waived in circumstances where the letting of a contract can be regarded as an extension to an existing contract (Regulation 11 – Contracts) states:

Procedures as to contracts are laid down as follows:

(a) *Every contract shall comply with these financial regulations and no exceptions shall be made otherwise than in an emergency provided that these regulations shall not apply to contracts which relate to items (i) to (vi) below:*

(iv) *For work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council.*

The current provider has held the contract since September 2008. In 2012, the content and design of the website was reviewed and three quotations were submitted.

If Members agree that quotations should be sought, these will need to be presented to the earliest possible meeting. The Clerk can endeavour to provide quotations for the March meeting.

9 SPEED WATCH SCHEME

To receive charts showing recent speed watch activity. Although some of the documents appear to be pdf, Members will require an XPS Viewer application to open the charts which are as follows: ...

Bishop's Wood (1)	Course average and maximum speed	10 – 19 Nov 2014
Bishop's Wood (2)	Course speed percentiles	10 – 19 Nov 2014
Bishop's Wood (3)	Course average and maximum speed	10 Nov – 11 Dec 2014
Bishop's Wood (4)	Course speed percentiles	10 Nov – 11 Dec 2014
Peter de Stapleigh Way (1)	Course average and maximum speed	10 – 16 Nov 2014
Peter de Stapleigh Way (2)	Course speed percentiles	10 – 16 Nov 2014
Peter de Stapleigh Way (3)	Course average and maximum speed	10 Nov – 11 Dec 2014
Peter de Stapleigh Way (4)	Course speed percentiles	10 Nov – 11 Dec 2014

8.20 pm – 8.30 pm

10 PARISH NEWSLETTER

The last newsletter was issued in early November 2014. Comment has been made that the contents of the Autumn Newsletter are repetitious of the previous issue. Members are invited to consider if the next newsletter should be delayed until after the May elections.

11 PLANNING MATTERS

The Parish Council is invited to comment on the following planning application which can be viewed on-line [By Clicking Here](#)

14/5879N Land between 65 and 81 London Road, Stapeley
Outline application for development of four detached dwellings
(Re-submission of application No. 14/1139N)

Deadline date for observations: 30 January 2015.

**12 RURAL CRIME CONFERENCE – WEDNESDAY, 25 FEBRUARY 2015
(venue to be advised)**

Cheshire Constabulary is offering 100 places for its rural crime conference. The event aims to provide delegates with an opportunity to hear from informed speakers, offering an overview of rural crime within Cheshire and a thorough understanding of how rural communities can protect themselves and work effectively in partnership to tackle rural crime.

The Parish Council is asked to consider if it wishes to nominate a Member to attend.

8.30 pm – 8.45 pm

13 NEIGHBOURHOOD PLANNING

Parish Council Members of the Steering Group to update the Council on progress on preparation of the Neighbourhood Plan. The Minutes of the Steering Group meeting held on 5 January 2015 will be submitted, if they are available.

A copy of a draft Project Plan is enclosed. This is based on the broad outline agreed by the Steering Group at its meeting held on 11 December 2014, but also takes into account the various statutory consultation/publicity periods. This will enable the full Parish Council to monitor progress. ...

14 COMMUNITY HALL – HEALTH AND SAFETY

To consider and approve the enclosed draft Health and Safety Policy. ...

The Clerk is in the process of preparing a Risk Assessment for the hall, but would prefer the input of Members of the Community Hall Committee before presenting it to the full Parish Council.

15 PARISH COUNCILLORS' ATTENDANCE RECORD

To receive the attendance record for the calendar year 2014. ...

16 DATE OF NEXT MEETING

16 February 2015

8.45 pm – 9.00 pm

17 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.

18 COMMUNITY HALL LEASE

Reason for exclusion: Legal privilege

The draft lease for the Community Hall was issued on 8 December 2014. Members were asked to give careful consideration to the contents to enable the lease to be approved at this meeting.

Previously distributed

Any suggested amendments will be forwarded to the Legal Adviser.