

# 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, 4 OCTOBER 2012  
**TIME:** 7.30 PM  
**VENUE:** BROAD LANE METHODIST CHAPEL  
AUDLEM ROAD, NANTWICH

Date of issue: 27 September 2012

Enquiries to: Clerk: Carol Jones

Tel: 01270 812065

Signed



To: Members of the Parish Council  
Councillors Shaun Clough, Mike Docker, Sandy Gwinn-Freemantle (Chairman),  
Peter Groves, Maxine Galt, Jo Hillman, 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.



The procedure for co-option is as follows:

- The co-option will be held in open session with the candidates present throughout.
- Each candidate, in turn, will make a brief presentation to explain their reasons for wishing to enter public life.
- Following this, Members may wish to ask questions *which should not be of a personal nature*.
- It is suggested that the Parish Council propose and second that a secret ballot of all candidates be held.
- Each parish councillor will be provided with two blank voting papers and will be asked to write the names of the two candidates they wish to be co-opted (one name on each slip).
- The voting papers will be passed to the Clerk who will announce the result.
- Where there is no absolute majority of votes in favour of two candidates, the names of the persons having the least number of votes will be struck off the list and a fresh vote taken in respect of the remaining candidates. This process will continue until a majority of votes is given in favour of two candidates.
- In the event of a tie, the common law position of drawing lots shall be employed and this will be a toss of a coin.
- The two successful candidates will each be asked to sign their Declaration of Acceptance of Office which also requires them to be bound by the Code of Conduct.

**7 GRANT REQUEST – STAPELEY PARISH ACTION GROUP (SPAG) – the PARISH PLAN IMPLEMENTATION GROUP**

At the previous meeting, the Parish Council gave initial consideration to a request from SPAG for a grant of £845 to cover the cost of printing the refreshed Parish Plan.

It was agreed that before making a decision, it would be helpful if Parish Councillors could receive a copy of the new Parish Plan and this was forwarded to Members under separate cover. A further copy of the grant application form is attached for ease of reference. ■■■

The Chairman (Val Ingram), the Secretary (Bob Walker) and SPAG Member, Ann Robbins will be in attendance to present their request and respond to questions about the Plan.

**8 PUBLIC DEBATE – 20 SEPTEMBER 2012**

To review the outcome of the Public Debate and to take any appropriate action in respect of any suggestions made.

**9 COMMUNITY HALL (see also agenda item 23)**

The Parish Council is invited to consider this matter following the open event held at Pear Tree School on 22 September 2012.

There was a good attendance at the event and an opportunity provided for residents to visit the community hall. There are eight residents who have volunteered to be on the Management Committee. The Clerk had arranged for a first meeting to be held on **Monday 8 October at Broad Lane Methodist Chapel at 7.30 pm.**

John Densem (who is the Chairman of Weston and Basford Parish Council) and Carol Richards (founder Chairman of the Wychwood Village Hall Management Committee) will be in attendance and will be able to provide a perspective based on their own experience of setting up a management committee.

Members might wish to give initial consideration to the issues to be considered at this first meeting.

A copy of the draft Hiring Terms and Conditions is attached for consideration. If this is approved, it will be submitted to Cheshire East Council which requires this document prior to signing the lease agreement. ■■■

## 10 TRAFFIC IMPACT ASSESSMENT

The scoping brief for the Traffic Impact Assessment is enclosed. This was not available at the last meeting. The Parish Council is invited to consider what action should be taken.

At the meeting held on 6 September, a member of the public suggested that in view of the imminent submission of a planning application by Muller Group Homes, the Parish Council should reconsider its decision to commission a parish-wide assessment and should consider employing a consultant to critique the Transport Assessment which will accompany the Muller Group Homes' planning application.

The Parish Council has already decided to start work on the commissioning of a traffic impact assessment. In view of this, the Parish Council is invited to suspend Standing Order No. 10 (Rescission of Previous Decision) to allow a discussion on whether to rescind the previous decision (Minute No. 62) and consider the possibility of re-defining the project. ■■■

## 11 FINANCIAL MATTERS

### 11.1 Authorisation of Payments

The Parish Council is asked to authorise the following payments:

£60.00	Mrs C M Jones - reimbursement for repairs to the Parish Council's laptop (£50.00 + £10.00 vat)	S.111 LGA 1972
£17.90	Mrs C M Jones – reimbursement for refreshments for Open Day event held at Pear Tree School on 22 September	S.111 LGA 1972
£ (tba)	Mrs S Gwinn-Freemantle – reimbursement for purchase of food and other items for the Open Day event held at Pear Tree School	S.111 LGA 1972
£216.00	Doormat Direct- delivery of newsletters to each household in the parish (£180 + £36 vat)	S.142 LGA 1972
£159.00	Johnsons Printers – printing of 1300 newsletters	S.142 LGA 1972
£325.00	James Thompson – work on nature conservation area, Talbot Way.	S.9 Open Spaces Act 1906
£105.40	HM Revenue and Customs – tax on Clerk's salary	S.111 LGA 1972
£342.00	Audit Commission (£285.00 + £57.00 vat)	S.111 LGA 1972
£708.70	Cheshire East Council – provision of two litter-bins on the Cronkinson estate.	S.5 Litter Act 1983

### 11.2 Budget Proposals 2013-2014

The Clerk has asked the Stapeley Parish Action Group for a list of any projects which are planned for 2013-2014 to inform the budget process for the forward year. The Finance and Grants Sub-Committee will consider proposals at its meeting to be held on 22 November.

### 11.3 Appointment of External Auditor

To report that with effect from the financial year 2012-2013, BPO LLP has been appointed as the external auditor. The Audit Commission will continue to monitor the performance of the firms providing this service. The fee for the Parish Council falls within the income/expenditure

band £50,001-100,000 the fee for which will be £300. (Note: although a precept of £7,000 only was requested for the current financial year this was owing to a significant underspend in the previous year; the budget proposals for 2012-2013 amounted to £53,000+.)

#### **11.4 Receipts and Payments Statement and Budget Monitoring Position at 30 September 2012**

The bank statements for the period to 30 September are not available at the time of issue of the agenda. The Receipts and Payments Statement and Budget Monitoring statement will be tabled at the meeting.

#### **12 COMMUNITY CAROLS – 19 DECEMBER 2012**

The Parish Council is invited to set up a small working group to discuss the detailed arrangements for the Community Carols event to be held on 19 December. A checklist of items is enclosed. The Group will meet in private and will make recommendations to the November meeting. ■ ■ ■

Nantwich and District Band has agreed to perform and will charge £150 per playing hour. A 25% deposit is required. The Parish Council is asked to authorise a payment of £75 on the basis that the event will last more than one hour.

#### **13 PLANNING**

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

12/3491N (Retrospective) Demolition of 116 London Road, Stapeley

12/3464N Rear of 72 Broad Lane, Stapeley – car park for Stapeley Broad Lane School

#### **14 ITEM REQUESTED BY PARISH COUNCILLOR (S Clough)**

##### **Obstruction by Parked Cars on Clonners Field**

This matter had been reported to a recent Police Cluster meeting. The Clerk to report on any action being taken by the Police.

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### **MATTERS FOR INFORMATION**

The following are matters for information. If the Chairman considers it appropriate, Item 14 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 POLICE MATTERS**

PCSO Nick Jarvis is unable to attend the meeting. The dates and times of Parish Council meetings do not always coincide with his duty rota. PCSO Jarvis will attend when on duty and not involved on other Police matters.

**17 LAND AT TALBOT WAY**

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

**18 SPEED WATCH SCHEME**

To update the Parish Council on the Speed-Watch scheme.

**19 PARISH PLAN IMPLEMENTATION GROUP  
[STAPELEY PARISH ACTION GROUP – SPAG]**

**19.1 Update**

Councillors Gwinn-Freemantle and Galt attended the SPAG meeting on 17 September and will update the Parish Council.

**19.2 Representation on SPAG**

Councillor S Gwinn-Freemantle is the only Parish Councillor sitting on the Parish Plan Implementation Group (SPAG). Councillor M Galt has volunteered to be the second Member and the Parish Council is asked to approve this nomination.

**20 CORRESPONDENCE/CLERK'S REPORT**

Spring Bulbs: Cheshire East Council is offering 1,000 free Sprint Bulbs to town and parish councils. The Clerk has accepted this offer on behalf of the Parish Council. The date for collection of the bulbs has not yet been notified.

To report items of correspondence received since the last meeting.

- A local resident has complained about the neglected, overgrown state of land opposite to Cherry Tree Court. His query has been the subject of e-mail correspondence with the Cheshire East Council S.106 Compliance Officer and also Edward Timpson MP. The S.106 Officer has informed him that although there were conditions attached to the application (P05/0844) there is now no prospect of the developer being able to comply with any outstanding conditions relating to the site as the company is in the process of liquidation.

In normal circumstances, a letter could have been sent to the landowner requesting a tidy-up of the area.

Cheshire East Council

- Partnerships Newsletter (issued by e-mail)
- Invitation to attend the Cheshire East Health and Well-being Board launch event on Wednesday, 7 November – 9.00 am – 12.30 pm at Crewe Alexandra Football Club. Anyone wishing to attend is asked to e-mail Lauren Conway before 16 October at [lauren.conway@cheshireeast.gov.uk](mailto:lauren.conway@cheshireeast.gov.uk)

**21 SHARED ITEMS**

Parish Councillors are invited to share information or request the inclusion of items on the agenda for the next meeting.

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)]

**22 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.

**23 NEXT MEETING**

**23.1 Date: 8 November 2012**

**23.2 Agenda Items:**

- Final draft of newsletter to be submitted for approval.
- To agree a date for the next Public Debate

**24 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.

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**PART 2**

**25 COMMUNITY HALL**

The Parish Council is invited to consider signing the lease for the community hall. The Clerk's briefing note is enclosed. ■ ■ ■

Reason for exclusion:  
Legal privilege.

**26 TAX LIABILITY – 2011-2012**

To consider the Clerk's report.

Reason for exclusion:  
Matters relating to the personal employment details of the Clerk. ■ ■ ■