

**MINUTES OF AN EXTRA-ORDINARY MEETING OF STAPELEY & DISTRICT PARISH COUNCIL
HELD ON 13 JUNE 2013 AT BROAD LANE METHODIST CHAPEL,
AUDLEM ROAD, NANTWICH**

PRESENT: Councillor S Gwinn-Freemantle Chairman
Councillor S Clough Councillor M Docker
Councillor J Davenport Councillor P Groves
Councillor J Hillman Councillor M Malbon
Councillor K Nord Councillor D Willetts

IN ATTENDANCE: Mr R Hindhaugh) Hindhaugh Associates Ltd.
Mr S Boone)

APOLOGIES: Councillor R Samra

(Note: Prior to the start of the meeting, Darren Willetts, who had been co-opted onto the Parish Council on 9 May 2013, signed his Declaration of Acceptance of Office.)

58 DECLARATIONS OF INTEREST

Members were invited to make any declarations of interest. No declarations were made.

59 PUBLIC QUESTION TIME

Members of the public addressed the Parish Council in respect of agenda items 4 and 6 (Planning Appeal – Muller Homes – Applications Nos. 12/3746N and 12/3747N) and gave their support to the Parish Council employing the services of Mr Hindhaugh to represent the parish at the Public Inquiry.

(Note: Councillor J Hillman arrived at this point in the proceedings.)

60 PLANNING APPEAL – MULLER HOMES - APPLICATIONS 12/3746N AND 12/3747N

The Parish Council was invited to consider action to be taken in respect of the Public Inquiry following an appeal made by Muller Homes following the Borough Council's refusal of planning application No. 12/3747N and non-determination of application No. 12/3746N.

Mr Hindhaugh and Mr Boone, from Hindhaugh Associates Ltd. were in attendance. Mr Hindhaugh addressed the meeting and set out the various options available for the Parish Council, viz.

Option 1 Be represented at the Public Inquiry under Rule 6 status.

Option 2 The Parish Council to be represented at the Inquiry by an advocate (who would be a barrister). Mr Hindhaugh recommended this option.

Members of the Parish Council were able to ask questions and the Chairman used her discretion to allow a member of the public to ask a question.

61 EXCLUSION OF PRESS AND PUBLIC

RESOLVED: 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 item owing to the confidential nature of the business to be transacted and the public interest would not be served in disclosing that information.

(Note: Mr Hindhaugh and Mr Boone remained in the meeting for the following item.)

62 PLANNING APPEAL – MULLER HOMES - APPLICATIONS 12/3746N AND 12/3747N

Members considered the quotation submitted by Hindhaugh Associates which had been presented to the meeting held on 6 June 2013.

Mr Hindhaugh explained in more detail the costs associated with each of the two options referred to earlier in this meeting.

Members of the Parish Council were able to ask questions by way of clarification, following which Mr Hindhaugh and Mr Boone withdrew from the meeting.

RESOLVED: (i) That Regulations as to Contracts be waived to enable a contract to be negotiated with Hindhaugh Associates Ltd. without competition. The reason for waiving the regulation is:

The company undertook a technical review of the traffic data which accompanied the planning applications, the subject of the appeal, and the company is, therefore, best-placed to advise in advance of the Public Inquiry and to carry out any additional work required.

Accordingly, for this reason, approval was granted for the project (as identified in (ii) to (x) below) to be awarded to Hindhaugh Associates Ltd.

(ii) That the Parish Council be represented at the Public Inquiry by an advocate (who would be a barrister-at-law);

(iii) That Hindhaugh Associates Ltd make arrangements with the barrister (as named at the meeting) to act on behalf of the Parish Council;

(iv) That, for a fee of £1,500, Hindhaugh Associates be authorised to –

- Conduct a technical review of the Singleton Clamp data, not previously available and carry out any additional work which might be required;
- Provide support to the advocate;
- Brief the parish councillor(s) who would appear at the Public Inquiry on behalf of the Parish Council;
- Review the work already carried out and submitted to Cheshire East Council's Strategic Planning Board.

(v) That it be noted that the overall cost would be a maximum of £12,000 (including the £1,500 referenced in (iv) above);

(vi) That, in accordance with Financial Regulation 11 (a) (ii) expenditure up to £12,000 be approved as an exception to the Regulations as to Contracts on the grounds that this was for specialist services;

(vii) That, in accordance with the Parish Council's Financial Regulations 12.2 and 12.3, if the estimated cost was likely to exceed the £12,000 approved, such variation must be approved in writing by the Parish Council to the "contractor" (ie either the barrister or Hindhaugh Associates Ltd);

(viii) That the £5,000 allocated in the budget for 2013-2014 (Technical support and advice for potential developments) be set against this project;

(ix) That the exercise of *virement* be authorised to transfer an appropriate level of funding from the following heads of expenditure to contribute to the costs:

£10,000	from £15,000 allocated for Community Hall miscellaneous items
£5,000	Community Hall CCTV

(x) That the Clerk write to the Planning Inspectorate requesting a postponement of the date by which submission of evidence should be received on the grounds that Cheshire East Council's notification of the Inquiry start date was, in fact, eight days after the start and this had caused unnecessary delays in the Parish Council's consideration of the matter;

(xi) That the Clerk request an early meeting with Cheshire East Council Planning Officers to discuss its own approach to the Inquiry and to avoid repetition of evidence; and

(xii) That, notwithstanding that the decision to be represented at the Inquiry had been approved, the Parish Council reserved its position to enable this decision to be reviewed, if necessary, following a meeting with Cheshire East Council Planning Officers.

.....Chairman

The meeting commenced at 7.00 pm and concluded at 9.00 pm