

**MINUTES OF AN EXTRA-ORDINARY MEETING OF STAPELEY & DISTRICT PARISH COUNCIL  
HELD ON 14 FEBRUARY 2014 AT STAPELEY BROAD LANE SCHOOL, BROAD LANE,  
STAPELEY, NANTWICH**

**PRESENT:** Councillor S Gwinn-Freemantle Chairman

Councillor J Davenport  
Councillor S Clough  
Councillor P Groves  
Councillor M Malbon  
Councillor K Nord  
Councillor M Theobald

**APOLOGIES:** Councillors M Docker, J Hillman and K Lawrence

**236 DECLARATIONS OF INTEREST**

Members were invited to make any declarations of interest in any item of business on the agenda.

In the interests of openness, Councillor M Theobald declared that he would be representing Stapeley Broad Lane Governing Body at the Public Inquiry. It was noted that the Governing Body was also opposed to the Muller Homes planning application.

**237 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.

**238 PUBLIC INQUIRY (MULLER HOMES) – 18 FEBRUARY 2014**

Reason for exclusion

The following item was subject to legal professional privilege

The Parish Council considered a Rescission Notice submitted by Councillors John Davenport, Sandy Gwinn-Freemantle and Matthew Theobald (in accordance with Standing Order No. 10). The notice requested the Parish Council to consider rescinding part of its decision made on 9 January 2014 (Minute No. 196). The part of the decision proposed for rescission was –

*“(a) That the Clerk contact the Legal Adviser on 10 January 2014 requesting that he made enquiries about Ruth Stockley’s availability to act as the Parish Council’s advocate at the Public Inquiry; and*

*(b) That in the event of Ruth Stockley being unavailable, an alternative barrister from within the same Chambers be appointed.”*

The reason for rescission was that legal advice had subsequently been received that the Parish Council should withdraw representation by Counsel at the Public Inquiry and proceed on the basis of a parish councillor attending as a witness to present the Parish Council’s case.

**RESOLVED:** (a) That part of the decision made under Minute No. 196 (as detailed above) be rescinded;

(b) That the decision be substituted with the following:

*“(i) That the Parish Council withdraw representation by Counsel at the Public Inquiry; and*

*(ii) That Councillor Keith Nord attend as a witness to present the Parish Council’s objections to the applications.”*

(c) That the following press release be issued at the earliest opportunity -

*“On the advice of its legal adviser, Stapeley & District Parish Council will not be represented by Counsel at the Public Inquiry on 18 February 2014. Detailed written evidence has been provided by the Parish Council to the Inspector.*

*The Parish Council will now proceed on the basis of presentation by an appointed parish councillor who will give oral evidence.*

*The Parish Council looks forward to the support of Cheshire East Council and local residents and local organisations in supporting its stance.”*

.....Chairman

The meeting commenced at 7.30 pm and concluded at 8.15 pm