

**MINUTES OF THE ANNUAL COUNCIL MEETING OF STAPELEY & DISTRICT PARISH COUNCIL
HELD ON 6 MAY 2021**

**(THE MEETING WAS HELD VIA VIDEO-LINK IN ACCORDANCE WITH
REGULATIONS INTRODUCED UNDER REGULATION 78 OF THE CORONAVIRUS ACT 2020)**

PRESENT:	Councillor M Theobald	Chairman
	Councillor J Davenport	
	Councillor P Groves	
	Councillor A Jacobs	
	Councillor K Nord	
IN ATTENDANCE:	Borough Councillor A Martin	
APOLOGIES:	Councillors M Docker, S Ford, J Hillman, J Gibbs, G Gwinn	

PART I – ANNUAL COUNCIL BUSINESS

1 ELECTION OF CHAIRMAN

The Parish Council was invited to elect a Chairman to serve until the Annual Meeting in 2022.

RESOLVED: That Councillor Matthew Theobald be elected Chairman to serve until the next Annual Meeting of the Council.

2 ELECTION OF VICE-CHAIRMAN

The Parish Council was invited to elect a Vice-Chairman to serve until the Annual Meeting in 2022.

RESOLVED: That, subject to her agreement, Councillor Jo Hillman be elected Vice-Chairman to serve until the next Annual Meeting of the Council

3 DECLARATION OF INTERESTS

Members were invited to declare any disclosable pecuniary interest or non-pecuniary interest which they had 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.

No declarations were made.

4 MINUTES – 19 APRIL 2021

RESOLVED: That the Minutes of the meeting held on 19 April 2021 be approved as a correct record.

5 REVIEW OF DELEGATION ARRANGEMENTS

In accordance with S.101 of the Local Government Act 1972, the Parish Council was able to delegate any of its functions (subject to one exception) to a Committee or Sub-Committee. Notwithstanding that a delegation is authorised, the Council would still be able to perform any functions which it had delegated to a Committee.

The Parish Council did not have any standing committees, but it was suggested that the Complaints Committee be re-constituted. Terms of Reference were submitted, and the Council was asked to appoint a minimum of three Members and two substitutes.

RESOLVED: That Councillors A Jacobs, P Groves, M Theobald, J Gibbs and J Hillman be appointed to the Complaints Committee;

(b) That, in view of the sufficiency of numbers, there was no requirement to appoint substitutes; and

(c) That Councillors Gibbs and Hillman be asked to confirm their willingness to serve on this Committee.

6 APPOINTMENTS TO OUTSIDE BODIES

The Parish Council was invited to appoint members to represent the Council either as members of the outside body itself or to attend their meetings.

- **Stapeley Parish Action Group – Two Members required**

RESOLVED: That Councillors Jeremy Gibbs (a current Member of SPAG) and Stephen Ford be appointed to Stapeley Parish Action Group.

- **Cheshire Association of Local Councils (ChALC)** (various meetings)

RESOLVED: That attendance at the ChALC meetings be offered to one Member on each occasion, according to their availability.

- **Police Cluster Meetings** – one

RESOLVED: That Councillor Mike Docker be appointed as the substantive Member to attend the Police Cluster meetings, with Councillor Jo Hillman as substitute.

7 ANNUAL ACCOUNTS – 2020-2021

The Parish Council was informed of the timeline for the submission of accounts documentation to both the Internal and External Auditor.

The accounts had not yet been submitted to the Internal Auditor (JDH Business Services) Ltd. but John Henry (the auditor) had advised that he would be able to audit the accounts during May/June. The Clerk was currently preparing the accounts which must be audited before approving the Annual Governance Statement (which formed part of the Annual Governance and Accountability (AGAR) form).

Timeline:

- The accounts must be submitted to the external auditor (PKF Littlejohn LLP) by no later than **30 June 2021**. In previous years, it had been possible to request an extension, but this had not been offered this year.
- Before **1 July 2021**, the Council must publish on the website, information required under Regulation 15 (2) Accounts and Audit Regulations 2015, and this includes the period for the exercise of public rights giving the name and address of the external auditor and indicating that the accounts are unaudited.
- The Council must receive and note the annual Internal Audit report **before** approving the Annual Governance Statement and the accounts.
Note: The Annual Governance Statement and the accounts can both be approved at the same meeting, but the Annual Governance Statement must be approved first.
- The Clerk/RFO must certify the accounts **before** they are presented to the Council for approval.
- The Clerk/RFO is required to commence the exercise of public rights period as soon as practical after the date of the AGAR approval. This must be 30 consecutive working days and **must include the first 10 working days of July**.
- Once the accounts had been received back from the Internal Auditor, the Parish Council would need to assure itself of the effectiveness of the Internal Audit process. If this task is not carried out, it will be criticised by the External Auditor. The checklist of actions will be found on the front page of the Internal Audit report when it is received.

- The Clerk had set the period for the exercise of public rights to commence on **Thursday, 1 July 2021 and conclude on Wednesday, 11 August 2021.**
- Full explanation of significant variances in the accounting statements to be issued to the external auditor (PKF Littlejohn LLP).
- Not later than **30 September 2021** the Council must publish notice of conclusion of the audit which requires Section 2 (External Auditor Report and Certification), and Sections 1 and 2 of the AGAR, including any amendments as a result of the review. It is recommended, as good practice, that the Internal Auditor's report (page 3 of the AGAR) also be published).

8 CALENDAR OF MEETINGS – 2021-2022

There was no calendar of meetings available, but the Council would continue to meet on the third Monday each month, with the exception of August when there would be a recess.

9 REVIEW OF RISK MANAGEMENT ARRANGEMENTS (Regulation 4 of the Accounts and Audit Regulations 2011) (Deferred from the meeting held on 19 April 2021)

The Council was required to review its risk management arrangements once a year. At its meeting held on 15 February 2021, a schedule was approved, but it was agreed that Councillors Jacobs and Theobald, who both had previous experience of preparing risk management strategies, should produce a more meaningful document.

The revised document was not yet available.

Councillor Jacobs commented that there were unlikely to be any significant changes other than a need to address GDPR arrangements.

PART II – ORDINARY PARISH COUNCIL BUSINESS

10 PUBLIC QUESTION TIME

In accordance with the Parish Council's Standing Order No.1, members of the public were able to submit a question, either in writing prior to the meeting, or orally at the meeting, or to make a statement.

There were no questions from members of the public.

11 AUTHORISATION OF PAYMENTS

RESOLVED: That the following payments be approved:

£1,025.15	Nantwich Town Council – fee for allotments provision for residents of Stapeley and Batherton
£285.00	C M Jones – reimbursement for settlement of invoice from ASB Electrical for supply and fitting of LED light fittings and new photocell Cone unit for outside lights.
£250.00	Councillor M Theobald – Chairman's allowance.

12 REMOTE MEETINGS OF PARISH COUNCILS

12.1 The Government had confirmed that legislation permitting remote meetings of local councils would not be extended in England beyond 7 May 2021; this would require primary legislation.

The National Association of Local Councils (NALC) issued a Chief Executive's bulletin on 23 April 2021 in which reference was made to a court hearing in the High Court during the same week.

As NALC is an interested party supporting this court action by Lawyers in Local Government (LLG) and the Association of Democratic Services Officers (ADSO), both Jane Moore, acting Head of Member Services and Legal Services Manager attended the session remotely and it was reported on by the [Law Gazette](#).

As Parish Councils were not able to continue to hold remote meetings beyond 7 May 2021, the current scheme of delegation had been revised, to give increased powers to the Clerk.

This would ensure that regular business (mostly financial matters) could be actioned without, necessarily, the need for a Parish Council meeting. This would limit the need for physical meetings of the Parish Council.

The revised scheme was submitted for consideration.

12.2 Information from the Society of Local Council Clerks (SLCC) High Court delivers judgement on remote meetings

The Clerk provided a notification from the SLCC dated 28 April 2021, announcing that local council meetings must now be in person.

13 COMMUNITY HALL

13.1 Re-opening

The Clerk had contacted all hall clients to ask if they wished to resume their activities and also to request copies of their risk assessments by 6 May 2021. Unfortunately, the Clerk did not email clients until 30 April 2021, but apologised for the delay, as the email was in the drafts folder only.

The working group's recommendations had been forwarded to Members and were considered.

The risk assessments would be forwarded to the working group as soon as they arrived.

RESOLVED: (a) That the recommendations of the Working Group be accepted;

(b) That the Community Hall be re-opened no earlier than 21 June 2021;

(c) That the Police who currently occupied the office at the hall, be advised of the re-opening date; and

(d) That at its meeting on 21 June 2021, the Parish Council consider responses from clients.

13.2 Fencing Repairs

Councillor Hillman had taken photos of the fencing where it had recently been repaired and was of the opinion that it was sub-standard. She had agreed to forward photos under separate cover.

Given that the cost of the repairs was £589.68 (£491.40 net and £98.28 VAT) the Parish Council was asked to consider this matter.

The Clerk reported that she had visited the hall to inspect the repairs and recommended Members to view the repairs for themselves.

**14 COMMUNITY GOVERNANCE REVIEW
(Deferred from meeting held on 19 April 2021)**

At its meeting held on 15 March 2021, the Parish Council received a copy of the Community Governance Review draft document which was considered by Cheshire East Council's (CEC) Community Governance Sub-Committee at its meeting held on 26 February 2021.

At its meeting held on 26 March 2021, the Constitution Committee (the Sub-Committee's parent Committee) was asked to approve the Sub-Committee's recommendation which was *That the draft proposals attached at Appendix B to this report be formally agreed for the purposes of consultation, and consulted-upon for a 12-week period.*

Borough Councillor David Marren (Ward Councillor for Shavington) proposed an amendment, which was carried, the effect of which was to require CEC to carry out a household referendum (not a referendum of individual electors) in those parishes where there was a proposed change of name for the parish and/or households would be transferred from one parish to another. Although this referendum is to be conducted by Cheshire East Council, it will be at the request of the appropriate Parish Council and the results of the referendum would be binding on Cheshire East Council.

There were some issues about the costs of referenda and the legality of binding CEC to the results. It is understood that this matter has now been referred to full Council.

The formal consultation was due to start in the Summer 2021.

15 WEBSITE – MONTHLY REVIEW

The Website Group had not met during the last month.

16 NEWSLETTER – FIRST DRAFT

Members considered the first draft of the newsletter which had been issued with the agenda for the March meeting.

The following were suggested as additional items:

- Dog-fouling
- Vandalism (in particular the damage to the fencing – emphasising that the cost is passed on to the Council-tax payer).
- Police item. Clerk to ask if he would be willing to have his photo added to the newsletter. The Police item to be displayed side-by-side with the item on vandalism.

17 INSURANCE ARRANGEMENTS – FROM 1 JUNE 2021

There were no matters to report.

18 PLANNING APPLICATIONS

The Parish Council was invited to submit observations on the following planning applications.

21/2041N 136 London Road, Stapeley, CW5 7JN
Single-storey flat-roofed extension comprising dining/family
Kitchen room, built-in matching facing brick and UPVC bi-fold
Doors to rear garden.
Demolition of existing single storey kitchen and conservatory
Prior to construction.

RESOLVED: That no comments be made on planning application No 21/2041N.

19 DRAFT HOUSING SUPPLEMENTARY PLANNING DOCUMENT ('HOUSING SPD')

The Draft Housing SPD had been published for consultation purposes and provided further guidance on the implementation of policies in the Local Plan, including SC4 'residential mix', SC5 'affordable homes' and SC6 'rural exceptions housing for local needs', of the Local Plan Strategy. This was the first stage of consultation on the SPD which, once adopted, would be a material consideration in decision-taking.

The consultation would run from **26 April 2021 to 5:00pm on 7 June 2021**. Further information was available on the council's website at:

<https://cheshireeast-consult.objective.co.uk/portal/planning/spd/>

RESOLVED: That the Parish Council support the Draft Housing Supplementary Planning Document.

20 BOROUGH COUNCILLOR'S REPORT

Local Matter

Councillor Peter Groves reported that he had commissioned a speed assessment of Peter de Stapleigh Way, and the local MP had been involved in this.

Cheshire East Council Matter

Councillor Sarah Palin had been elected Mayor of the Borough, with Councillor David Marren being elected as Deputy Mayor.

Councillor Sam Corcoran had been elected as Leader of the Council.

22 DATE OF NEXT MEETING

21 June 2021

The meeting commenced at 7.15 pm and concluded at 8.50 pm

.....Chairman