

**MINUTES OF THE A MEETING OF STAPELEY & DISTRICT PARISH COUNCIL
HELD ON 16 OCTOBER 2017 IN STAPELEY COMMUNITY HALL, PEAR TREE FIELD, STAPELEY**

PRESENT: Councillor M Theobald Chairman
Councillor J Hillman
Councillor P Groves
Councillor M Malbon

IN ATTENDANCE: Borough Councillor A Martin

APOLOGIES: Councillors E Boughey, M Docker, P Groves, S Gwinn-Freemantle and K Nord

77 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.

78 MINUTES – 18 SEPTEMBER 2017

78.1 RESOLVED: That the minutes of the meeting held on 18 September 2017 be approved as a correct record.

78.2 Up-date on Actions

- o A second quotation for fitting the AED, was awaited.

79 PUBLIC QUESTION TIME

There were no members of the public in attendance.

80 CASUAL VACANCY

This item was withdrawn from the agenda and would be deferred to the November meeting.

81 FINANCIAL MATTERS

81.1 Delivery of Newsletter and SPAG 'Walk Stapeley' Leaflet

Stapeley Parish Action Group was producing a 'Walk Stapeley' leaflet and was planning to co-ordinate its delivery with the Parish newsletter in November.

The usual cost for delivery of the newsletter was £135.00; if the additional leaflet were to be included as part of the delivery, it would cost £208.50.

The Parish Council was recommended to agree to fund the cost of the delivery.

RESOLVED: That the Stapeley Parish Action Group leaflet be included in the delivery of the parish newsletter, the cost to be borne by the Parish Council.

81.2 Authorisation of Payments

RESOLVED: That the following payments be approved:

£228.26	HMRC	Tax on Clerk's salary and employer's NI contribution (Month 5 – this was overlooked at the September meeting.(£190.60 tax and £37.66 employer's NI cont.)
£228.26	HMRC	Tax on Clerk's salary and employer's NI contribution (Month 6)

£17.99	C M Jones	Reimbursement for second land search (£14.99 + £3.00 VAT)
£675.00	Crystal Clean	Cleaning of community hall – September
£208.50	The Leaflet Team	Delivery of parish newsletter and 'Walk Stapeley' leaflets
£244.32	Thomson Planning	Attending meeting at Cheshire East Council 19 September and Steering Group meeting 26 September 2017 (£203.609 net and £40.32 VAT)
£139.23	Scottish Power	Unmetered electricity (30 June 2017 – 30 Sept 2017)

81.3 Budget – 2018-2019

Members were invited to give initial consideration to a draft budget for 2018-2019.

The Clerk's report was enclosed which comprised budget monitoring to 30 September 2017; revised estimates to 31 March 2018; and a draft budget for 2018-2019. The Parish Council would be able to consider the budget again at its November meeting, with a view to finalising it at the December 2017 meeting.

Members noted on the bank reconciliation that there were unrepresented cheques amounting to £3,316.20. This was because the bank reconciliation was based on bank statements at 21 September; cheques were signed at the Parish Council meeting on 18 September, and, other than the cheque for cleaning services, the remainder would have been presented after 21 September.

The bank reconciliation was noted:

	£		£
B/fwd 1 April 2017	58,442.11	Gold Account	65,708.71
ADD Receipts	<u>21,628.06</u>	CurrentAccount	435.81
LESS Payments	(17,677.66)	LESS Unrepresented cheques	(3,316.20)
	<u>62,392.51</u>		<u>62,392.51</u>

In an attempt to spend the £5,000 allocation for youth initiatives before 31 March 2018 (Line 33), the Clerk was asked to contact the local PC and PCSO for suggestions.

The draft budget would be considered again at the November meeting.

81.4 Revised Financial Regulations

The Parish Council's Standing Orders and Financial Regulations were reviewed by the Parish Council on 21 May 2015. In January 2016 the National Association of Local Councils amended the Financial Regulations and a revised copy was now enclosed for adoption. (These form part of the Parish Council's document 'Standing Orders and Financial Regulations'.

The Clerk had taken the opportunity to make amendments to Regulations 4.1 and 11.1 (h) as follows:

- 4.1 *Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:*
- *the Council for all items over £1,000 ;*
 - *a duly delegated committee of the Council for items under £1,000; and*
 - *the Clerk, in consultation with Chairman of Council or Chairman of the appropriate committee, for any items below £1,000.*

Such authority is to be evidenced by a Minute or by an authorisation slip duly signed by the Clerk, and where necessary also by the appropriate Chairman.

Contracts may not be disaggregated to avoid controls imposed by these regulations.

11.1 (h)

When it is intended to enter into a contract of less than £25,000 (but more than £3,000), in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk/RFO shall obtain three quotations (priced descriptions of the proposed supply). Where the value is below £3,000 and above £1,000 the Clerk/RFO shall strive to obtain three estimates; otherwise, Regulation 10 (3) above shall apply.

The reason for the change to these two specific regulations was to allow more flexibility when seeking quotations.

RESOLVED: (a) That the revisions to paragraphs 4 and 11 of the Financial Regulations be approved; and

(b) That the revised Financial Regulations, (as amended by paragraphs 4 and 11) be adopted.

82 MEETING WITH LAURA SMITH, MP

At the previous meeting, it had been agreed that Laura Smith MP be offered the opportunity to attend either a private meeting at which only parish councillors would be present, or a more public meeting where councillors and members of the public would be able to discuss parish matters.

The Clerk contacted Ms Smith's secretary who suggested the public meeting would be appropriate. Subsequent to that, the Chairman expressed a wish that this should be a private meeting for parish councillors only.

The Clerk made contact again with Ms Smith's office and it had been agreed that the meeting on 2 November 2017 be held in private with a public meeting to be held early in 2018 when councillors and members of the public would be able to participate.

RESOLVED: That a private meeting with Laura Smith, MP be arranged for Thursday, 2 November 2017.

83 PLANNING MATTERS

83.1 Planning Applications

Comments were invited on the following planning applications.

17/4627N Stapeley House, Wybunbury Lane, Stapeley, CW5 7HH
Single-storey rear extension

RESOLVED: That no observations be made on planning application No. 17/4627N.

12/3747N Land between Audlem Road/Broad Lane and Peter de Stapleigh Way
Residential development up to a maximum of 189 dwellings; local centre (Class A1 to A5 inclusive and D1) with maximum floor area of 1800sqm Gross Internal Area (GIA); employment development (B1b, B1c, B2 and B8) with a maximum floor area of 3,700sqm GIA; primary school; public open space including new village green, children's play area and allotments; green infrastructure including ecological area; new vehicle and pedestrian site access points and associated works.

Amended plans and details had been submitted.

The Chairman read to the meeting his own observations on this planning application. These views were supported by other Members.

RESOLVED: That the following observations be submitted in respect of planning application No. 12/3747N.

- The existence of the Parish Council's Neighbourhood Plan, and its increasing weight in planning terms, has been ignored; consequently, assessment of how the application complies with, or contravenes, policies in the Neighbourhood Plan, has not been made by the applicant.
- Most of the documents have stated clear limitations for their use by third parties, as they have been prepared in accordance with a scope and instructions from Muller Group Properties.
- The Air Quality document appears to ignore any contribution from properties on the proposed development, to the area's air quality and ignores Pear Tree School and the adjacent play area, as sensitive receptors, despite the wind rose of 2016. The situation is similar for properties on Bishops Wood and Broad Lane.
- The Acoustic Planning Report appeared to exclude any predictions or assessment of the noise impact arising from the development's construction or occupation; rather, it focused on noise entering the proposed development site from existing infrastructure and activities. There appeared to be no consideration of acoustic impacts from internally generated noise pollution, nor the impacts upon adjacent properties from the site.
- The existing Transport Assessment and associated traffic data were significantly out of date, having been prepared some 5 years previously for the initial application.

83.2 Neighbourhood Plan – Independent Examination

The Steering Group Reported on progress in respect of the independent examination of the Neighbourhood Plan. An update would be provided by the Steering Group for inclusion in the parish newsletter to be issued during November.

84 CCTV – COMMUNITY HALL

The Working Group had now provided the names of four contractors who were competent to install CCTV at the community hall. The Clerk had issued an '*invitation to quote*' to each company which had been informed that there would be a special meeting on Monday, 13 November 2017 (subject to Members' agreement) and that each company would be given a 20-minute slot to outline their respective proposals.

The date of 13 November was not convenient for some Members, and given that there were only four present at the meeting, the Chairman agreed to contact all parish councillors by e-mail seeking an alternative date.

85 CONSULTATION – COMMUNITY INFRASTRUCTURE LEVY (CIL)

Cheshire East Council was consulting on the new draft charging schedule, the Community Infrastructure Levy (CIL). Members were aware that this was a planning charge which could be used to support the development of the local area. It allowed local authorities (principal councils) to raise funds from developers of new building projects. The money could be used to help fund a wide range of infrastructure which was needed as a result of development.

Comments had been requested by 5.00 pm on 6 November 2017.

The Chairman read to the meeting his own observations on the documents. These were supported by other Members, and it was –

RESOLVED: That the following observations be issued to Cheshire East Council in respect of its consultation on the community infrastructure levy.

- Much of Stapeley parish falls in zone 1 which is suggested to attract a CIL of £0 per square metre. What is the rationale for setting so much of Cheshire East that falls in zone 1 as receiving CIL of £0 when there are such acute pressures on infrastructure and services?
- CIL DCS Consultation Document states in section 3.7 '*Parishes where development takes places will receive their own portion of CIL to spend on infrastructure. In areas where there is no Neighbourhood Plan this will be 15%, capped at £100 per existing dwelling to be spent on local priorities. Where a Neighbourhood Plan is in place the portion increases to 25% uncapped as a government incentive to prepare a Neighbourhood Plan.*' Zone 1, therefore, significantly reduces town and parish councils' effectiveness in those areas, from any ability to utilise CIL monies for the benefit of their community.
- The rest of Stapeley parish and Batherton parish falls in zone 4 which is suggested to attract a CIL of £74 per square metre. Why is this not in zone 5, given the significant impact that developments would have on the local infrastructure?
- Section 3.10 references spending CIL on schools, which can only apply to existing schools, the vast majority of which in Cheshire East are already at, or above, capacity. UK Government requires that all new schools must be either Free Schools or Academies; therefore, CIL monies cannot be applied to their creation. C7 table specifically identifies use of S106 agreements for primary school provision.
- C7 table Transport (Roads and other transport facilities including public transport provision) makes no provision for local infrastructure improvements such as creation or improvement of bus stops.
- C7 table ICT/Digital (broadband/wireless) will attract no CIL funding as '*Developers will be required to work with appropriate providers to deliver the necessary physical infrastructure to accommodate ICT-related hard infrastructure and networks in line with Policy CO3 (Digital Connections) of the Local Plan Strategy*'; thereby significantly reducing town and parish councils' ability to bring other areas of their area up to an acceptable standard, particularly in areas; for example, much of Stapeley and Batherton parishes where residents are not served by either BT or Connecting Cheshire plans to comply with HM Government's 'Universal Service Obligation' of 10mpbs by 2020.
- C7 table does not identify where monies will be sought for secondary school provision; only discussing that for primary education through S106 agreements.
- C7 table - community facilities 'No CIL Funding' as there will, purportedly, be 'On site or nearby provision of community facilities identified by site specific measures/requirements.' The 'fatal flaw' in this relates to the parasitic nature of housing development, where multiple small developments are covered by planning applications with the unfortunate effect of avoiding the need to provide community facilities for each individual application, as they are taken individually, not as the whole they form part of.
- A similar situation is proposed for recreational and sporting facilities.
- A similar situation is proposed for Green Infrastructure.
- Draft 'Payment In Kind Policy' - Land and Infrastructure. This policy makes no reference of town and parish councils in any decision, whether to accept the transfer of land or infrastructure *in lieu* of CIL. The Parish Council considers this to be an oversight as town and parish councils are best-placed to know the needs of their respective communities. Should such decisions be made without involvement of, and significant weight given to, the views of town and parish councils, Cheshire East Council would effectively be depriving those communities of the CIL monies they would otherwise have been entitled to receive.

- The CIL Infrastructure Projects document shows funding shortfall for ICT/Digital, Community Facilities and Open Spaces as £0. See above comments as CEC has no intention of using CIL monies to fund any of these categories. Community facilities are more than just the 'libraries, cemeteries and crematoria' mentioned in this document. Recreation and sporting facilities are also so much more than 'indoor sports facilities and sports pitches'.
- Section 22 ignores the reality of the gap between BT commercial provision and Connecting Cheshire plans, leaving many rural communities at a significant disadvantage, and failing to address HM Government's 'Universal Service Obligation' of 10mbps by 2020. The section only speaks to physical infrastructure for new developments and completely ignores existing dwellings and commercial premises.
- Section 24 describes there being 'uncertainties in the provision of primary and secondary schools'. There is no uncertainty; rather, the establishment of new schools cannot be funded by CIL or Local Authority contributions.
- Section 25 makes no mention of Secondary School provision. The reality is that secondary school places are often not available within a practical, reasonable distance of the pupil's family home. With school bus services being cut by CEC every year, the pressure, in terms of financial, time and resources, on parents can be viewed as punitive.
- Section 29 – the scope of community facilities in this section is woefully inadequate.
- Section 30 – there is no mention of provision of localised facilities to meet a specific community's needs, as identified; for example, in the community's Neighbourhood Plan.

86 UP-GRADING OF STREET LIGHTING (INFORMATION ITEM)

It was reported that in the next six weeks, some of the street lighting on the following streets was to be replaced as part of the LED replacement programme, but in most cases, only lantern upgrades would take place. For information, a general explanatory CEC leaflet was submitted.

Beechwood Close	Smithers Close
Comberbach Drive	Broad Lane
Hallams Drive	Chater Drive
Mainwaring Close	Stanyer Court
Massey Close	Thomas Avenue
Poplar Court	Clonners Field
Tinkersfield	Dunnillow Field
Birchall Close	Flowerscroft
Hawksey Drive	Tenchersfield
Sherratt Close	Pear Tree Field

Members had queried the omission of other streets from the schedule, but had been assured by the Street Lighting Team that although these had been added into the Nantwich South and Stapeley (Borough) Ward, they would be carried out within the year.

87 DATE OF NEXT MEETING

20 November 2017

The meeting commenced at 7.30 pm and concluded at 8.50 pm