

**MINUTES OF A MEETING OF STAPELEY & DISTRICT PARISH COUNCIL
HELD ON 19 OCTOBER 2015 AT STAPELEY COMMUNITY HALL, PEAR TREE FIELD, STAPELEY**

PRESENT: Councillor S Gwinn-Freemantle Chairman
Councillor S Clough
Councillor M Docker
Councillor J Hillman
Councillor K Nord
Councillor M Theobald

APOLOGIES: Councillors J Davenport, P Groves and M Malbon

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 at this point in the proceedings.

78 MINUTES – 21 SEPTEMBER 2015

78.1 RESOLVED: That the Minutes of the Meeting held on 21 September 2015 be approved as a correct record and signed by the Chairman, subject to the inclusion of Councillor M Docker's name in the list of apologies.

78.2 Neighbourhood Plan – Regulation 14 Consultation (Minute No. 69.2)

Councillor J Hillman reported that she had resolved the administrative difficulties referenced at the previous meeting and would be able to be listed as the recipient of mail to a Box No. to enable her to receive the responses to the Regulation 14 consultation. The Clerk would make arrangements for a cheque to be prepared and the application form to be sent to Councillor Hillman.

79 PUBLIC QUESTION TIME (10 MINUTES)

In accordance with the Parish Council's Standing Order No.1, members of the public were able to ask a question or make a statement.

A member of the public addressed the Council in respect of agenda item No. 10 (Dog-Walking in Stapeley).

80 DOG-WALKING IN STAPELEY

This item was brought forward on the agenda to allow the resident to observe the proceedings.

Councillor Peter Groves had asked for this matter to be included on the agenda following a request from the local resident who was in attendance.

The issue was the lack of dog-walking facilities in the parish where dogs could be unleashed. The areas where the resident usually walked her dog were privately owned by developers and were now closed off to public access.

Other than the two parcels of land on Talbot Way, the Parish Council did not own any land which could be designated for dog-walking. The Steering Group parish councillors reported that the designation of a dog-walking area, within a broader leisure space, was already being addressed as part of the Neighbourhood Plan process.

In the meantime, the Clerk reported that Councillor Peter Groves had undertaken to discuss this matter with the resident and would be contacting her by e-mail.

The resident withdrew from the meeting at the conclusion of this item.

81 POLICE MATTERS

There were no Police Officers in attendance on this occasion.

82 CLERK'S REPORT

82.1 The Parish Council received the Clerk's report for October which comprised the Minutes of the Stapeley Parish Action Group (SPAG) meeting held on 14 September 2015 and the Cheshire Association of Local Councils meeting held on 23 September 2015.

Within the SPAG Minutes, reference was made to the Muller S.288 Challenge in the High Court. The Clerk now reported that the Department for Communities and Local Government had notified interested parties that there were no issues which would require the Inquiry to be reopened. The Secretary of State would issue his decision before 4 November.¹

82.2 Workplace Pensions

The law on workplace pensions had changed. Under the Pensions Act 2008 and associated regulations, every employer with at least one member of staff must automatically enrol those who were eligible, into a workplace pension scheme and contribute towards it.

The Clerk's information report was submitted. It was noted that the staging date for the Council was 1 January 2017 (this was the date on which the Council would be required to comply with the Regulations). The Pensions Regulator would provide regular updates from 12 months prior to staging date (ie from January 2016). There was, therefore, no action required by the Council at this time.

It was suggested that in due course, it would be appropriate for this to be considered by the Finance Committee.

83 COMMUNITY HALL

83.1 Large Refuse Bin

The Clerk had contacted ASH which was a commercial waste disposal company. It could supply a 660 litre general waste bin to be located outside the community hall on the hard-standing which was currently a car parking bay to the right of the hall.

The Parish Council had allocated a sum of £1,000 in its budget for the purchase of an industrial-sized waste bin; this was a service offered by the company. Although the amount of waste generated at the hall was unlikely to justify fortnightly collections, the company had advised that to make it economically viable for ASH, there must be fortnightly collections at a cost £15.80 (per fortnight), a total cost of £410.80 per annum.

Members agreed to defer discussion of this item until later in the meeting when the perimeter fencing was to be discussed.

83.2 Hall Usage

A potential hall user had asked for a commitment to bookings for the next 12 months, with effect from November. The booking was for Sunday worship, each Sunday from 10.30 am to 12.30 pm. This effectively 'sterilised' the hall until 1.00 pm on each Sunday.

The Parish Council did not have a policy which restricted the use of the hall at weekends but, as a community asset, it was generally available for private parties. An option would be to agree to the booking on the understanding that a period of notice could be given (to be decided) to enable other users the opportunity to book events on Sundays.

¹ Subsequent to the meeting, the Clerk verified that the date by which the Secretary of State would make a decision was on or before 17 November 2015.

Members were supportive of the proposal but agreed that before a decision was made the enquirer be asked to amend his booking time to enable the hall to be clear for other bookings by no later than 12 noon. If the enquirer wished to retain the 10.30 am to 12.30 pm slot, the bookings could be accepted with a clause being included in the agreement to the effect that the Parish Council may, subject to four weeks' notice to the user, suspend the hire on an occasional basis to allow other organisations, or individual users, which might otherwise be prohibited from using the hall, to hire it for a specific event.

84 FINANCIAL MATTERS

84.1 Authorisation of Payments

RESOLVED: That the following payments be approved:

£207.10	HMRC	Tax on Clerk's salary (£177.80 plus £29.30 employer's NI contribution)
£662.50	Crystal Clean Ltd	Cleaning of the community hall and opening/closing for private parties (£60 is for opening and closing: £602.50 cleaning)
£11.49	Mrs C M Jones	Reimbursement for 2016 Community Hall Diary
£341.00	A1 Gas Servicing (Shaun Goodwin)	Repair and servicing, central heating system – Community Hall (13 and 15 October 2015)
£1,104.00	Ken White Signs	'Stapeley Community Hall' sign (£920 net and £184 VAT)
£258.00	Johnsons Printers	Newsletter printing (Neighbourhood Plan edition)
£750.00	Cheshire Wildlife Trust	Ecological Survey (£625 net and £125 VAT)
£25.00	Cheshire Association of Local Councils	Attendance at Planning Seminar (20 October 2015)

In approving the above payments, the following were agreed/noted:

- The invoice for Crystal Clean represented work carried out during the first half of October, with an estimate for the remainder of the month. The Clerk was asked to notify the company that all future invoices must relate to work carried out during the month up to and including the day before the Parish Council meeting.
- A1 Gas Servicing to be asked to install a tamper-proof thermostat in the hall.
- Two places had been reserved on the Planning Seminar (20 October 2015). The Clerk would be attending, but there were no councillors available.

84.2 Finance Committee – Change of Date

It was noted that the Finance Committee meeting had been re-scheduled from 26 November 2015 to Monday 30 November, to be held in the Community Hall.

84.3 Request for Donation (S.137) – Wybunbury Churchyard

The Parish Council was invited to consider a request for a contribution towards the cost of maintaining the churchyard in Wybunbury.

The churchyard was outside the parish, and the Council generally only had the power to spend on items within the parish. However, as there were deceased Stapeley residents buried in the churchyard, and it was possible that residents/relatives from Stapeley visited the graves, an argument could be made to make a contribution under S.137 of the Local Government Act 1972.

S.137 allowed a Council to commit expenditure if, in the opinion of the Parish Council, it is '*in the interests of, and will bring direct benefit to, their area or any part of it, or all or some of its inhabitants*'.

RESOLVED: (a) That a donation of £300 be made to St Chad's Church, Wybunbury towards the cost of the upkeep of the churchyard; and

(b) That the grant be made in accordance with S.137 of the Local Government Act 1972.

85 NEIGHBOURHOOD PLAN STEERING GROUP

85.1 The Minutes of the Steering Group meeting held on 24 September 2015 were received and noted.

85.2 Map of CEC-owned Land in Stapeley and Batherton

A map of CEC-owned land in Stapeley and Batherton had been provided to the Neighbourhood Plan Steering Group and was now submitted as being of interest to the Parish Council as a whole.

86 PLANNING

86.1 Planning Applications

Planning application No. 15/4477N (252 Newcastle Road, Blakelow) had been listed on the agenda. This was outside the parish and the Council, therefore, declined to comment on the application.

86.2 Cheshire East Council Local Plan Strategy Event – 3 November 2015

The Parish Council was invited to nominate two Members to attend the above event. The Clerk had reserved two places and had notified Members by e-mail.

There were no councillors available. The Clerk was asked to enquire if volunteer members of the Steering Group would be permitted to attend.

87 CHESHIRE EAST BOROUGH COUNCILLORS

Borough Councillors Groves and Martin were not in attendance.

88 DATE OF NEXT MEETING

16 November 2015

(Note: Councillor S Clough withdrew from the meeting at this point in the proceedings.)

89 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.

90 COMMUNITY HALL - PERIMETER FENCING

(Reason for exclusion: commercial sensitivity)

The Parish Council considered the Clerk's report which provided additional information as requested by Members at the Council meeting held on 20 July. The quotations included in the report were now on a like-for-like basis.

The Council was invited to award the contract for the provision of perimeter fencing at the community hall.

The vote was taken in two parts:

- (1) To vote on whether perimeter fencing should be installed at the community hall; and
- (2) To vote on the company which should be awarded the contract.

The reason for the two-part vote was to allow Councillor K Nord to vote on (1) but to abstain from voting on (2) as his son was employed by one of the companies which had quoted for the work.

RESOLVED: (a) That palisade perimeter fencing, as described in the Clerk's report, be installed at the community hall;

(b) That the contract for installation of the fencing be awarded to Trentham Fencing Ltd in the sum of £7,490 plus VAT, being the lower quotation; and

(c) That it be noted that panic gates in the fencing were excluded on the basis that they were unnecessary as hall patrons exiting through fire doors would move along the passage-way to the fire assembly points.

Two councillors abstained from voting on both (1) and (2). Councillor K Nord abstained from voting on (2) only for the reason given above.

Notwithstanding that a decision had been made, Members reviewed the resolution. There was a strength of feeling about the aesthetics of the palisade fencing even though it would be powder-coated in a colour specified by the Parish Council. Some Members commented that as there were so few councillors present, this matter should be debated at a future meeting.

The Clerk advised that the decision had immediate effect but in view of the post-decision opinions expressed, she could delay issuing the official order to Trentham Fencing to allow Members to reflect on the matter and, if they were so minded, to submit a Rescission of Decision Notice [by no later than Friday 6 November] to enable the Council to consider the matter again at its meeting to be held on 16 November.

[Note: There was no further discussion on the refuse bin (Minute No. 83.1 above)]

.....Chairman

The meeting commenced at 7.30 pm and concluded at 10.00 pm