

**MINUTES OF A MEETING OF STAPELEY & DISTRICT PARISH COUNCIL
HELD ON 20 JANUARY 2020 IN STAPELEY COMMUNITY HALL, PEAR TREE FIELD,
STAPELEY, NANTWICH**

PRESENT: Councillor M Theobald Chairman
Councillor J Davenport Councillor M Docker
Councillor S Ford Councillor G Gwinn
Councillor P Groves Councillor J Hillman
Councillor K Nord

APOLOGIES:¹ Councillor S Gwinn-Freemantle

109 DECLARATIONS OF INTEREST

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.

110 MINUTES

RESOLVED: That the Minutes of the Meeting held on 16 December 2019 be approved as a correct record.

111 PUBLIC QUESTION TIME

There were no members of the public in attendance.

112 CHESHIRE EAST BOROUGH COUNCILLORS' REPORTS

Borough Councillor Peter Groves reported on the following matters:

- Significant flooding within the parish of both Stapeley and Batherton. Funding to tackle such issues had been significantly cut owing to the increase in social care.
- Some of the flooding related to blocked gulleys, and the shortage of finance to effect repairs, exacerbated the problem,
- At Annual Council in May 2020, the Borough Council would be considering reverting to a Committee system and this would replace the current Cabinet and Leader model.
- The housing stock had now increased, and the Council had a 7.5 year supply.
- The A500 dualling was expected to be carried out in 2023.

113 FINANCIAL MATTERS

113.1 AUTHORISATION OF PAYMENTS

RESOLVED: That the following payments be approved:

£243.90	HMRC	Tax on Clerk's salary and employer's NI
£974.80	Crystal Clean South Cheshire	Cleaning the Community Hall and opening/closing for private parties (£812.33 net and £162.47 VAT)
£20.00	Target Windows	Cleaning of Community Hall windows.

¹ In receiving apologies, it was reported that Councillor E Boughey had resigned.

£180.00	TWM Traffic Control Systems Ltd.	Repair of SDU on Audlem Road. (Inv. 5087 - £150.00 net and £30.00 VAT)
£45.00	ASB Electrical	PAT work on portable equipment in the Community Hall.
£288.80	G.O and L.M. Jones	Purchase of Christmas trees 2018 and 2019
£6.00	Ms A Bennett	Refund as the Duty Manger was 15 minutes late attending the hall for her booking.
£794.42	Dame Hygiene Services	Provision of sanitary services (nappy disposal and feminine hygiene products)
£1,877.21	Water Plus	Charges for the period 30 October 2019 – 7 January 2020.

In approving this payment, the Clerk suggested that as the charges were still significantly high, meter readings be taken to ensure that the situation could be monitored.

113.2 BUDGET PROPOSALS – 2020-2021

Cheshire East Council had agreed to accept the Parish Council's precept request on 21 January 2020.

Members reviewed the budget proposals and some minor amendments were made.

The budget proposals amounted to a total of £79,650, requiring a precept of £45,000. The calculation of the precept requirement was noted:

	£
Balance at bank on 30 September 2019	59,515
LESS Additional spend to 31 March 2020	(26,935)
ADD Community Hall receipts	3,000
Expected balance on 1 April 2020	<u>35,580</u>
Budget for 2020-2021	79,650
LESS Balance available on 1 April 2020	(35,580)
Precept required (rounded up)	<u>45,000</u>

The effect of a precept of £45,000 would be additional Council Tax of £26.02 for a Band D property.

RESOLVED: (a) That the Parish Council approve a budget of £79,650;

(b) That the Clerk be authorised to request a precept of £45,000 from the Borough Council;

(c) That the Clerk's salary be increased to £13,330 with effect from 1 April 2020 (as agreed at the meeting held on 16 December 2019.)

114 CONNECTED COMMUNITIES

CVS Cheshire East had confirmed that whilst it did not accept that all the evidence required had been submitted, it had decided to award GRIPP Assurance and it had notified Cheshire East Council. A certification from CVS would follow in due course.

As part of the documentation required, the Clerk had updated the Parish Council's risk assessment schedule to include additional items for the community hall. These were at item 24, 24.1 and 24.2. This revised risk assessment was submitted, together with the updated GRIPP assessment.

The Parish Council was asked to approve sections 24, 24.1 and 24.2, subject to any amendments to be made at the meeting. The remainder of the schedule had been approved at Annual Council in May 2019 and will be reviewed at Annual Council in May 2020.

115 PLANNING MATTERS

115.1 Planning Applications

The Parish Council was invited to submit observations on the following planning application:

19/5524N Stapeley Cottage, London Road, Stapeley
Proposed portal-frame building for class B1 business use (re-submission of 19/3215N).

RESOLVED: That no observations be made on planning applications 19/5524N.

(Note: At this point in the proceedings, Councillor Groves declared a personal interest in application No. 19/5524N on the basis that he was a friend of the applicant.)

115.2 Notification of Appeal – 19/3698N Appeal Reference APP/R0669/W/19/3241814

Land at Broad Lane, Stapeley – Two detached houses with new shared access.

Following refusal of planning permission, an appeal had been made to the Secretary of State in respect of the above planning application. The appeal was to be dealt with by means of Written Evidence and a site visit by an Inspector from the Planning Inspectorate.

The Parish Council could comment on the appeal by 7 February 2020; however, Members had not previously considered this application which was received after the July 2019 meeting. Members were notified, but there had been no request for an extra-ordinary meeting to consider the application.

RESOLVED: That the following representation be made to the Planning Inspectorate.

The Parish Council supports Cheshire East Council's refusal of planning application No. 19/3698N and requests the Inspector to note that although a Neighbourhood Plan for Stapeley & Batherton is a substantive document, the applicant has failed to comply with many of the policies; in particular, Policies H1, H2, H5 (application is outside the settlement boundary), GS1 (the application will cause significant adverse impact on the local area) and GS5.

116 VE DAY COMMEMORATION – 75TH ANNIVERSARY – 8-10 MAY 2020

The Parish Council was invited to consider if there should be any event to mark the 75th Anniversary of VE Day 1945.

The public holiday was usually held on the first Monday in May but this year had been put back four days to Friday, 8 May 2020 to mark VE Day over a national three-day weekend.

RESOLVED: That no arrangements be made for a public event to mark VE Day in May 2020.

117 NEWSLETTER

The Parish Council was asked to decide on a publication date for the next newsletter and to suggest articles for inclusion.

RESOLVED: (a) That the newsletter be issued late March/early April 2020;

(b) That the following articles be added to the newsletter:

- Information about flooding and the culvert system.
- Precept increase – to provide an explanation of the reasons for the significant increase over last year's precept.
- Bench to be moved from Second Dig Lane/A51 London Road, to Peter de Staplegh Way.

(c) That the Clerk provide a first draft at the February 2020 meeting.

118 CLERK'S INFORMATION REPORT

1. Notice-Board

It was reported that the Clerk mislaid her keys to the notice-board but had now arranged for new keys to be provided. The notice-board would be up-dated when the keys were provided.

2. Stapeley Litter Group

Jeremy Gibbs' litter-picking group would re-commence the litter-picks on Saturday, 22 February 2020 at 10.00 am, assembly outside the Cronkinson Farm Pub.

The following two dates were 21 March and 18 April 2020.

3. A51 Newsletter

Copy of the A51 Newsletter sent by the A51 Action Group was provided for Members.

119 PONDS IN STAPELEY/VICTORIAN ORCHARD

The Clerk had written to Hall, Smith Whittingham, the Parish Council's legal adviser, to ask about the legal implications of carrying out improvements on land not owned by the Parish Council.

Generally, the legal position was that the Council would be trespassing. To enter the land and carry out work would not be acceptable in circumstances where the land was owned by someone else. Moreover, the Parish Council's insurance would be invalid if, for example, someone were to be injured during the course of such work.

Hall, Smith Whittingham could carry out a full title investigation to ascertain who currently owned the land and the terms of any planning conditions which had not been complied with, together with the Parish Council's rights when it came to the owner's failure to comply with those conditions.

The fee would be £185 per hour (net). It was difficult to assess how long this would take, but an approximate estimate was two hours.

The Parish Council was asked to consider if this work should be undertaken in order to ascertain the true legal position of the pond adjacent to Clarendon Court and the Victorian Orchard.

RESOLVED: (a) That the quotation in the sum of £185 per hour, submitted by Hall, Smith Whittingham, for title investigation of both the pond adjacent to Clarendon Court, and the Victorian Orchard, be accepted; and

(b) That in the event of the work being likely to exceed two hours, Hall, Smith Whittingham refer the matter back to the Council for a decision in respect of any further costs.

120 COMMUNITY GOVERNANCE REVIEW (CHESHIRE EAST COUNCIL)

This item had been considered at the meeting on 16 December 2019 and the Parish Council made observations; however, the Clerk's notes were insufficient to record accurately the comments made, and Members were now asked to refresh those comments for submission to Cheshire East Council by 31 January 2020.

RESOLVED: That the following comments be made on the Community Governance Review to be carried out by Cheshire East Council:

- The Parish Council is representative of the area of Stapeley which comprises the former rural area with a more urban area of 1,000 houses.
- The Council has made great strides to integrate both parts of the community and this has been successful with the parish having its own identity. During canvassing for the elections in May and December 2019, Borough Councillors noted that the experience 'on the doorstep' was that residents wished to remain as part of the Stapeley & District parish. They were adamant that they should remain part of what they perceive as a village and do not wish to become part of the Nantwich Town Council area.
- The Neighbourhood Plan, which was adopted over two years ago, shows the aspirations of the whole parish and this bears out the view that residents wish to remain within Stapeley and Batherton.
- The parish councillors come from both the urban and rural parts of the parish area.
- The community hall is a local hub, has a diverse range of activities and is well-used by residents in all parts of the parish.
- There have been several community events in the hall, to try to bring together all residents, and these have proved to be very popular.
- The Parish Council is pro-active and produces regular newsletters which are distributed to each household in the parish.
- The Council meets 12 times a year and residents are encouraged to attend meetings to ask questions under the Public Question Time slot.

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

122 QUOTATIONS FOR MAINTENANCE OF THE CONSERVATION AREA, TALBOT WAY
(Reason for exclusion: Commercially sensitive)

At its meeting in July 2019, the Parish Council considered a quotation for the on-going maintenance of the Conservation Area on Talbot Way, with effect from October 2019.

The quotation had been provided by JT Property Maintenance Ltd which was owned by the person who had previously carried out all the work on the Conservation Area when the contract was with Greenspaces South Cheshire CIC. Greenspaces had ceased the work but had not notified the Council. As a consequence, the area had become neglected.

Members had been advised that they could waive the Financial Regulations if they wished, in order to appoint this contractor as he had carried out the work to a satisfactory standard over several years.

The Parish Council was keen to demonstrate 'due diligence' and the Clerk was asked to seek three other quotations, and, given that the work was of a specialised nature and required expertise in wildlife conservation, each company should be asked to provide evidence of their professional competency.

The Clerk sought four quotations for the work, but only two had been received, and these were now considered.

RESOLVED: That the quotation submitted by CES Ecology in the sum of £1,900.00 be accepted for the annual habitat management and maintenance works at the Conservation Area on Talbot Way.

123 DATE OF NEXT MEETING

17 February 2020

.....Chairman