

**MINUTES OF A MEETING OF STAPELEY & DISTRICT PARISH COUNCIL
HELD ON 6 FEBRUARY 2014 AT STAPELEY COMMUNITY HALL, PEAR TREE FIELD,
STAPELEY, NANTWICH**

PRESENT: Councillor S Gwinn-Freemantle Chairman

Councillor J Davenport
Councillor M Docker
Councillor P Groves
Councillor J Hillman
Councillor K Lawrence
Councillor M Malbon
Councillor K Nord
Councillor M Theobald

IN ATTENDANCE: Mr Bob Hindhaugh Hindhaugh Consultants Ltd.
Mr Simon Boone - do -

APOLOGIES: Councillor S Clough

216 DECLARATIONS OF INTEREST

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

Councillor Nord declared a personal interest in Quotation 1 (Agenda item 13) on the basis that he was a friend of the contractor. Councillor Lawrence declared a personal interest in Quotation 2 of the same agenda item on the basis that the contractor had carried out work for him.

Councillor Theobald declared, in the interests of openness, that he would be representing Stapeley Broad Lane School Governing Body at the forthcoming Muller Homes Public Inquiry. This did not represent a conflict of interest as the Governing Body was also objecting to the Muller Homes applications.

Although not required to make a declaration, the Clerk reported that the contractor who had submitted Quotation 3 (Agenda item 13) was her neighbour and had carried out work for her.

(Note: Councillors J Davenport and M Malbon arrived at this point in the proceedings.)

217 MINUTES

9 January 2014

RESOLVED: That the Minutes of the Meeting held on 9 January 2014 be approved as a correct record.

28 January 2014 – Extra-ordinary Meeting

The Minutes of the extra-ordinary meeting were not available and would be submitted to the March meeting for approval.

218 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 be transacted and the public interest would not be served in disclosing that information.

219 PUBLIC INQUIRY (MULLER HOMES) – 18 FEBRUARY 2014

Reason for exclusion

The following item concerned the confidential business dealings of Hindhaugh Associates and advice received by the Parish Council's Legal Adviser

Mr Hindhaugh was in attendance for discussion of this item. He outlined the contents of his witness statement which would be submitted to the Public Inquiry.

The independent road safety audit carried out by Six:Ten which had been commissioned as part of the Parish Council's consideration of the later planning applications submitted by Muller Homes (Nos. 13/4384N and 13/4390N) had been submitted as evidence in respect of the two applications which were the subject of the appeal.

Mr Hindhaugh reported that he had experienced difficulty in identifying some of the relevant proofs of evidence on the Cheshire East Council planning portal and would draw this to the Inspector's attention.

Councillor Docker undertook to provide to Mr Hindhaugh the raw data collected on the mobile vehicle-speed display unit.

It was noted that Ruth Stockley (barrister-at-law) would be making a site visit on 7 February 2014, at which time she would be accompanied by the Clerk, Mr Hindhaugh and Councillor K Nord.

Mr Hindhaugh and Mr Boone were thanked for their attendance, following which they withdrew from the meeting.

There was a short comfort break at this point in the proceedings

220 RE-ADMITTANCE OF PRESS AND PUBLIC

RESOLVED: That the press and public be re-admitted to the meeting.

221 PUBLIC QUESTION TIME

There were no members of the public in attendance.

222 PUBLIC INQUIRY (MULLER HOMES) – 18 FEBRUARY 2014

As previously agreed, Councillor Nord would appear at the Inquiry as the Parish Council's representative. However, Councillor Nord was unable to attend for the whole of Day One of the Inquiry. He would attend during the morning, but would need to leave at midday owing to a business commitment. Members were invited to consider if another Member should be appointed to attend for the first day only. The purpose would be to observe the proceedings and offer information/advice to Counsel if needed.

Members also considered the likely situation in the event of Councillor Nord being unavailable on other dates.

RESOLVED: That in the event of Councillor Nord being unable to attend any part of the Public Inquiry, owing to unforeseen circumstances, the Parish Council authorised any other available parish councillor to attend in his place.

223 CHESHIRE EAST BOROUGH COUNCILLORS

Borough Councillor Peter Groves reported (a) that the Kingsley Fields (Nantwich) planning application for 1100 homes had been approved; and (b) that the Borough Council had issued a statement, as at 31 December 2013, to the effect that it now had its 5-year housing

land supply, together with appropriate buffer. This would be an important part of the Borough Council's evidence at the Muller Homes Public Inquiry.

224 RESCISSION OF RESOLUTIONS (STANDING ORDER NO. 10)

224.1 Notice of Motion – Proposed Rescission of Resolution Community Hall – Lease with Cheshire East Council (Minute No. 121)

In accordance with Standing Order No. 10 (Rescission of Resolution), three parish councillors, namely Mike Docker, Matthew Theobald and Keith Lawrence, had submitted a written request for the decision taken under Minute No. 121 (Community Hall – Future Use) made on 5 September 2013, to be rescinded.

The Notice of Motion was submitted for consideration. Each of the signatories spoke to the motion, following which Members made comments. The three signatories then withdrew the motion.

224.2 Notice of Motion – Proposed Rescission of Resolution Neighbourhood Planning (Minute No. 150)

In accordance with Standing Order No. 10 (Rescission of Resolution), three parish councillors, namely Matthew Theobald, John Davenport and Martin Malbon, had submitted a written request for the decision taken under Minute No. 150 (Neighbourhood Planning) made on 7 November 2013 to be rescinded.

The Notice of Motion was submitted for consideration.

RESOLVED: (a) That the decision under Minute No. 150 (i.e. Neighbourhood Planning – “*That no action be taken to prepare a Neighbourhood Plan*”) be rescinded;

(b) That the decision in Minute No. 150 be replaced by the following:

- (i) That the Parish Council establish a working group to carry out preparatory work on the development of a Neighbourhood Plan;
- (ii) That the working group comprise Councillors J Davenport, J Hillman, P Groves, M Malbon and M Theobald;
- (iii) That the working group report progress to the Parish Council as and when appropriate.

(Note: Councillor J Davenport withdrew from the meeting at this point in the proceedings.)

225 COMMUNITY HALL

Members were invited to consider the following matters connected with the operation/management of the community hall.

225.1 Managing the Community Hall

The Village Halls Adviser (Cheshire Community Action) had been asked to provide a specimen job description for a caretaker/key-holder for the community hall, together with an indication of an appropriate salary. A response was awaited.

225.2 Appointments Committee

Councillors S Gwinn-Freemantle, M Docker and J Hillman comprised the Appointments Committee. Raj Samra had also been a Member and the Parish Council was asked to appoint a replacement for her.

RESOLVED: (a) That Councillor M Theobald be appointed to the Appointments Committee to replace R Samra; and

(b) That Councillor K Lawrence be appointed to the Committee as an additional Member.

226 FINANCIAL MATTERS – AUTHORISATION OF PAYMENTS

RESOLVED: That the following payments be authorised:

£161.72	HM Revenue & Customs – tax on Clerk's salary
£345.00	Jof's Mowing – Maintenance of communal area Talbot Way – June 2013 – January 2014
£139.23	Scottish Power (period 30 September 2013 – 31 December 2013) £132.60 net and £6.63 vat
£367.50	Crystal Clean – community hall cleaning – January 2014

227 PLANNING APPLICATIONS

The Parish Council was invited to consider the following planning application:

14/0227 - Foolpenny Hall and Crosslands Cottage, London Road, Stapeley
Application for nine detached dwellings and garaging.
Demolition of existing office building at The Paddock, Foolpenny Hall;
Formation of new access onto London Road.

There was a short comfort break at this point in the proceedings

RESOLVED: That the following comments be submitted to Cheshire East Council:

- Ensure that trees are not damaged by heavy equipment
- Environmental impact assessment to be carried out
- Archaeological watching brief to be undertaken as it is potentially a civil war battle site
- Re-modelling of traffic lights at the junction of Elwood Way/Peter de Stapleigh Way to be considered.

228 OPEN SPACE (FOOTWAY) BETWEEN TALBOT WAY AND MULT-USE GAMES AREA (MUGA)

This item had been requested by Councillor J Hillman who invited the Parish Council to consider lighting this area. Members were reminded that the budget for 2014-2015 had already been agreed and this item was not considered at that time.

The Clerk had made enquiries of Cheshire East Highways (which was no longer operated by Cheshire East Council) in respect of its own policy on street lighting, particularly as there was a national move away from additional street lighting in the interests of reducing light pollution whilst balancing the need for safety.

Cheshire East Highways had advised that it was under financial pressure to cut the Borough's ever-increasing energy bill as well as maintaining the existing ageing inventory. As such, it could not become involved in lighting public spaces; and the current policy was to remove existing lighting where possible and deemed safe to do so.

The Clerk was asked to make enquiries about ownership of the land.

229 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 be transacted and the public interest would not be served in disclosing that information.

230 FENCING AROUND CONSERVATION AREA – TALBOT WAY

Reason for Exclusion

In each case, the information was commercially sensitive and it was not in the public interest to reveal the identities of the companies, other than that of the successful contractor.

The Parish Council considered three quotations for the reinstatement of fencing at Talbot Way. Each of the contractors had already indicated that they could not start the work until towards the end of March.

RESOLVED: That the quotation submitted by Mike Brookes Garden Services, being the lowest quotation at £825.00, be accepted.

(Note: Having declared an interest in this item, Councillor Nord declined to participate in the discussion and did not vote.)

231 RE-ADMITTANCE OF PRESS AND PUBLIC

RESOLVED: That the press and public be re-admitted to the meeting.

232 CORRESPONDENCE

The following correspondence had been received since the last meeting.

- SPAG Newsletter (Uploaded onto the Parish Council's website)
- Cheshire Community Action: Neighbourhood Planning Seminar - Wednesday, 19 March (10.00 am – 12 noon) at University of Chester Academy, Northwich
Two places had been provisionally reserved.
The Clerk was asked to include an item on the next agenda "*to nominate two Members to attend the Neighbourhood Planning Seminar.*"
- Cheshire East Council Partnerships newsletter.

233 SHARED ITEMS

Members who represented the Parish Council on outside bodies were able to share information in respect of any activities of those bodies, including attendance at -

- Parish Plan Implementation Group (SPAG),
- Cheshire Association of Local Councils' meetings; and
- Local Police Cluster meetings.

234 PUBLIC QUESTION TIME

This is a further opportunity for members of the public to ask a question or address the Parish Council.

235 DATE OF NEXT MEETING

6 March 2014

.....Chairman