

**MINUTES OF THE ANNUAL MEETING OF STAPELEY & DISTRICT PARISH COUNCIL
HELD ON 21 MAY 2018 IN STAPELEY COMMUNITY HALL, PEAR TREE FIELD,
STAPELEY, NANTWICH**

PRESENT:	Councillor M Theobald	Chairman
	Councillor J Davenport	Councillor M Docker
	Councillor G Gwinn	Councillor S Gwinn-Freemantle
	Councillor J Hillman	Councillor K Nord
	Councillor J Putt	
APOLOGIES:	Councillors E Boughey and P Groves	

1 ELECTION OF CHAIRMAN

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

Councillor Theobald signed a Declaration of Acceptance of Office.

2 ELECTION OF VICE-CHAIRMAN

RESOLVED: That Councillor J Hillman be elected Vice-Chairman to serve until the next Annual Meeting of the Council.

Councillor Hillman signed a Declaration of Acceptance of Office.

3 DECLARATIONS OF INTERESTS

Members to declare any disclosable pecuniary interest or non-pecuniary interest which they have 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.

Whilst the Clerk can advise on the Code of Conduct and its interpretation, the decision to declare, or not, is the responsibility of the Parish Councillor, based on the circumstances.

4 MINUTES

RESOLVED: That the Minutes of the meeting held on 16 April 2018 be approved as a correct record.

5 REVIEW OF DELEGATION ARRANGEMENTS (COMMITTEES)

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 was authorised, the Council was still able to perform any functions which it had delegated to a Committee.

5.1 Complaints Committee

The only standing committee was the Complaints Committee. The current membership was Councillors M Docker, J Hillman, K Nord and M Theobald.

The Council was asked to appoint five Members to the Committee.

RESOLVED: (a) That Councillors M Docker, J Hillman, K Nord and M Theobald be appointed to the Complaints Committee; and

(b) That it be noted that there was one vacancy.

5.2 Neighbourhood Plan – Delivery and Implementation Group

The Parish Council was invited to set up a Delivery and Implementation Group to monitor the implementation of delivery of the various tasks detailed in the Neighbourhood Plan. Draft Terms of Reference were submitted.

RESOLVED: (a) That the Terms of Reference for the Neighbourhood Plan Delivery and Implementation Group (DIG) be approved;

(b) That the Group shall comprise a minimum of five parish councillors, up to 10 volunteers, and one-two representatives from the Stapeley Parish Action Group;

(c) That Councillors John Davenport, Jo Hillman, Matthew Theobald, Keith Nord and John Putt be appointed to the DIG; and

(d) That Andrew Thomson (Planning Consultant) be invited to attend a future meeting of the Group.

6 APPOINTMENT OF MEMBERS TO OUTSIDE BODIES

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

- **Stapeley Parish Action Group**

RESOLVED: That Councillors E Boughey and J Davenport be appointed as the Council's representatives on Stapeley Parish Action Group.

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

RESOLVED: That Councillor J Hillman be appointed as the Council's representative to attend meetings of ChALC. but in the event of her being unable to attend a meeting, any other available Member could represent the Council.

- **Police Cluster Meetings**

RESOLVED: That Councillor M Docker be appointed as the Council's representative to attend the Police Cluster meetings, but in the event of him being unable to attend a meeting, any other available Member could represent the Council.

7 FINANCIAL MATTERS

7.1 Review of the Effectiveness of Internal Audit – 2017-2018

In accordance with the Accounts and Audit (Amendment) (England) Regulations 2006, the Parish Council was required to carry out a review of the effectiveness of the internal audit of the Council's accounting, financial and other operations. The Regulations required that the review of the effectiveness of the system of internal audit preceded the annual governance review.

A checklist was enclosed which set out the scope of the work required to enable the Council to assess the effectiveness of its internal audit arrangements. A list of areas/documents for review was given and this was in accordance with Appendix 8 of *Governance and Accountability in Local Councils in England and Wales, A Practitioners Guide 2003*, namely, proper book-keeping; application of Standing Orders, Financial Regulations; payment controls; risk management arrangements; budgetary controls, income controls; payroll controls; assets controls; bank reconciliations; and year-end procedures.

RESOLVED: That the Parish Council record its satisfaction that there was a sound system of internal control, including the preparation of the accounting statements, for the year 2017-2018.

7.2 Internal Audit Review of Accounts 2017-2018/ Approval of the Accounts 2017-2018

JDH Business Services Ltd had audited the accounts for 2017-2018 and its report was submitted.

The Annual Governance and Accountability Return (AGAR) had not yet been signed-off by the internal auditor for the following reasons:

- (i) There was an imbalance of £8.97 and the Clerk was required to amend the 'cash book' and provide a revised bank reconciliation. The specific errors were:
 - o Cheque 1081 in the sum of £228.26 had incorrectly been recorded as £228.86.
 - o In the Receipts ledger, bank interest of £8.37 had been entered twice.
- (ii) The Clerk had amended the list of assets by removing £50,400 over the 2016/2017 value. This was to reflect the fact that CEC had replaced the street lighting and would be likely to take over responsibility for the maintenance and future repair/replacement of the street lights; however, as there was currently no evidence to this effect, the assets must remain the same.

The Clerk had now made the amendments and had forwarded the AGAR to JDH to enable the internal audit section to be signed. This was not available for the meeting and the Parish Council could not, therefore approve the accounts.

The Council was asked to convene a meeting on 31 May to arrange for approval of the accounts. Three Members indicated that they would be available; however, a quorum was four and the Clerk would need to contact those Members who were not present.

RESOLVED: That the Clerk make arrangements for an extra-ordinary meeting of the Parish Council to be held on 31 May 2018 to approve the accounts for 2017-2018.

7.3 Internal Auditor – 2018-2019

The Parish Council was required to appoint an Internal Auditor on an annual basis.

Members were invited to re-appoint JDH Business Services Ltd. the current internal auditor.

RESOLVED: That JDH Business Services Ltd. be approved as the internal auditor for 2018-2019.

8 MEMBERS' ATTENDANCE RECORD – MUNICIPAL YEAR MAY 2017-APRIL 2018

The Parish Council received a schedule of Members' attendance for the municipal year 2017-2018. Although the Parish Council was not required to comply with the Transparency Code, this would be published on the Council's website in the interests of best practice.

9 GENERAL DATA PROTECTION REGULATION (GDPR)

At its meeting held on 16 April 2018, the Parish Council considered the Clerk's report which updated Members on matters related to the preparation for GDPR on 25 May 2018.

On 26 April 2018, the Cheshire Association of Local Councils (ChALC) informed Clerks that the Government had tabled an amendment to its own Data Protection Bill to **exempt** all parish and town councils and parish meetings in England and community and town councils in Wales from the requirement to appoint a **Data Protection Officer (DPO)** under the General Data Protection Regulation.

On 14 May 2018, ChALC notified Clerks that officials from the Department for Culture, Media and Sport confirmed that whilst all other measures would still apply, the appointing of a Data Protection Officer to support a Council's approach to data protection would be discretionary and may be regarded as good practice.

The House of Lords would now consider amendments made during the House of Commons stages, although it was not expected that this amendment would be reversed.

The Clerk was currently working through the Action Plan and had started to complete the Data Audit. In the meantime, a draft Data Protection Policy was submitted for adoption, together with a Consent Form and two versions of a General Privacy Notice. A copy of an updated Document Retention Policy was also submitted.

- RESOLVED:** (a) That the Data Protection Policy and Consent Form be adopted; and
(b) That the shorter version of the General Privacy Notice be adopted.
(c) That the updated Document Retention Policy be approved.

Members noted that at the June meeting, the Parish Council would be asked to consider.

- (a) Insurance aspects of GDPR.
- (b) Possible revision of the risk assessment/management schedule.
- (c) Purchase of a laptop for use by the Clerk which would remain in the ownership of the Parish Council.
- (d) Use of Cloud technology for storage and retrieval of documents in a secure manner. The Cloud provider would become responsible for data security and data backups. This was likely to require a service level agreement (SLA) between the Council and the provider

10 REVIEW OF RISK MANAGEMENT ARRANGEMENTS

The Council was required to review its risk management arrangements once a year. The Clerk's report was submitted, together with a schedule of identified risks and proposed management of those risks.

RESOLVED: That the risk management arrangements be approved.

11 CALENDAR OF MEETINGS

RESOLVED: That the Calendar of Meetings for the year 2018-2019 be approved.

This concluded the Annual Council items of business. The following items of ordinary business were dealt with in the interests of expediency.

12 PUBLIC QUESTION TIME (10 MINUTES)

In accordance with the Parish Council's Standing Orders, members of the public were able to ask questions or address the Parish Council in respect of any item on the agenda, or any matter relevant to the Parish Council's business and the local area.

There were no members of the public in attendance.

13 THE GREAT GET TOGETHER – SUNDAY 24 JUNE 2018

Members were invited to finalise the arrangements for 'The Great Get Together' on 24 June 2018. A list of tasks and the current position was detailed on the agenda.

The following were noted/agreed.

Cakes:	Arranged by Councillor Putt (Victoria cakes and brownies)
Cheeses:	Councillor Gwinn-Freemantle arranging with Helers Cheese to collect several cheeses on the Friday before the event. It was suggested that catering for up to 200 should be arranged.
Crockery/ Cutlery	Councillor E Boughey to arrange.
Music:	Councillor Gwinn would be contacting Brine Leas. Stapeley Broad Lane School had confirmed that it would participate. Councillor Theobald would be meeting with Malbank School on 22 May 2018.
Banners:	Councillor M Theobald to arrange printing of the banners, to be provided two weeks before the event.
Community Hall:	The Clerk agreed to check availability of the community hall on the evening of 23 June to allow Members and volunteers to set up either during the day or in the evening.

Further meetings: Councillor Putt undertook to arrange two further meetings with the Group to discuss the details of the event.

14 AUTHORISATION OF PAYMENTS

RESOLVED: That the following payments be approved.

£684.00	Crystal Clean Ltd. – Cleaning of Community Hall. (£570.00 net and £114.00 VAT)
£201.60	HMRC – Tax on Clerk's salary
£520.00	Came & Company – annual insurance premium. (1 June 2018 – 31 May 2019).
£205.00	Jof's Mowing – grounds maintenance work – 23 Feb to 16 April 2018.
£250.00	Chairman's allowance (Ss 15(5) and 34(5) LGA 1972)
£30.00	Boot Property – hire of room at Stapeley House on 27 March 2018 for working group meeting.
£25.50	Shire Pay Services Ltd. Payroll service for the first quarter in 2018-2019.
£96.00	Dynorod – drain repairs at Community Hall.
£505.93	Water Plus – water services at Community Hall

15 PLANNING APPLICATIONS

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

18/1994N	Buttercup View, 4 Mill Lane, Batherton, CW5 7QN Extension to kitchen and new wing extension
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RESOLVED: That no observations be made on planning application No. 18/1994N.

At this point in the proceedings, Councillor J Putt declared an interest in planning application No. 18/2309N on the basis that he was acquainted with the applicant and could not render an unbiased opinion. He withdrew from the meeting prior to discussion and returned to the meeting after the vote had been taken.

18/2309N The Gables, 58 London Road, Stapeley, CW5 7JL
Proposed single-storey extension to existing two-storey residential annexe

RESOLVED: That no observations be made on planning application No. 18/2309N.

Deadline date for observations: 4 June 2018

16 **CONSULTATION – STAPELEY BROAD LANE SCHOOL EXPANSION**

Cheshire East Council had a statutory duty to provide sufficient school places for children resident in its area. An analysis of the latest pupil forecasts had identified the need to provide additional primary school places in Nantwich in response to increasing pupil populations and new housing. If approved, the proposal would provide an additional 105 places across the school and increase the Published Admission Number (PAN) from 30 to 45 per year group from September 2020.

Following discussions with CEC, the governing body of Stapeley Broad Lane had considered the need for extra school places in the area and had resolved to publish an expansion proposal. Consultation on this proposal started on 26 April and would conclude on 24 May 2018.

The Parish Council was invited to comment on the proposals.

RESOLVED: That the Parish Council object to the proposed expansion at Stapeley Broad Lane Scholl for the following reasons:

- The proposal conflicts with the following Neighbourhood Plan policies.
 - T1 (a) General Condition
 - T2 Pedestrian cycle routes
 - T3 Footpaths and cycle-ways
 - T5 Air Quality
- The unsustainable nature of transport to the school which impacts on road safety.
- The existing car park provision is already inadequate, and the increase in traffic will exacerbate the problems.
(The problems were visibly evident in videos taken a few years ago by local residents at school dropping-off times.)
- The planned footpath from the Stapeley Gardens estate (London Road) to the school via Deadman's Lane, has not been delivered.
- The consultation is not as advertised. Although it purported to be open to residents of Stapeley and Batherton, it was only available to those residents who were parents or guardians of pupils at the school.

17 **NANTWICH NEIGHBOURHOOD PARTNERSHIP/NETWORK (CONNECTING COMMUNITIES)**

Cheshire East Council was opening discussions for the formation of a Nantwich Neighbourhood Partnership/Network. A drop-in session had been arranged for Wednesday, 30 May 2018, from 2.00 – 7.00 pm at The Gables, 55 Beam Street, Nantwich CW5 5NF.

Members were minded to support the proposal but the scheme required further consideration.

18 CHESHIRE EAST BOROUGH COUNCILLORS' REPORTS

There were no Borough Councillors Groves in attendance.

19 INFORMATION ITEMS/UPDATE ON OUTSTANDING MATTERS

The following items had been issued under separate cover.

- Minutes of a Stapeley Parish Action Group meeting held on 12 February 2018
- On 25 April 2018, Councillor M Docker issued his summary of the Police Cluster meeting held on 16 April 2018.

The following were outstanding matters:

- Councillor Putt had not yet been able to install the defibrillator in the cabinet at the Cronkinson Farm Pub.
- The damaged steps adjacent to the MUGA had now been repaired.
- The Clerk had completed a form for assessment of water usage, by Water Plus.

20 DATE OF NEXT MEETING

18 June 2018

.....Chairman

The meeting commenced at 7.15 pm and concluded at 9.25 pm