

**MINUTES OF THE ANNUAL MEETING OF STAPELEY & DISTRICT PARISH COUNCIL
HELD ON 8 MAY 2014 AT STAPELEY COMMUNITY HALL, PEAR TREE FIELD, STAPELEY**

PRESENT: Councillor S Gwinn-Freemantle In the Chair
Councillor S Clough Part of the meeting
Councillor J Davenport Part of the meeting
Councillor J Hillman
Councillor K Lawrence
Councillor M Malbon
Councillor M Theobald

APOLOGIES: Councillors M Docker, P Groves and K Nord

1 ELECTION OF CHAIRMAN

RESOLVED: That Councillor S Gwinn-Freemantle be elected Chairman of the Parish Council to serve until the next annual meeting.

2 ELECTION OF VICE-CHAIRMAN

RESOLVED: That Councillor M Theobald be elected Vice-Chairman of the Parish Council to serve until the next annual meeting.

3 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.

Councillor J Davenport made a declaration in the interests of openness and transparency in respect of planning application No. 14/2051N (32 Broad Lane) on the basis that the application site was next door to his own house and he could not render an impartial opinion.

4 APOLOGIES

As noted in above.

5 MINUTES

5.1 Meeting held on 3 April 2014

RESOLVED: That the Minutes of the meeting held on 3 April 2014 be approved as a correct record and signed by the Chairman, subject to the following amendment:

Minute No. 261 - Item (J)

Delete the resolution "That the Clerk contact appropriate suppliers inviting designs/artwork for a free-standing "community hall" sign."

Insert: "That the Clerk be asked to seek quotations for the provision of a free-standing "community hall" sign which was a maximum size of 1.2 sq. metres."

5.2 Minutes of the Annual Meeting held on 9 May 2013.

The Minutes were received. These had been approved at the June 2013 meeting.

6 PROTOCOLS/POLICIES

The Parish Council was invited to adopt the following policies/protocols.

- a. Bullying/Harassment Policy
- c. Grievance Procedure
- e. Disciplinary Procedure

RESOLVED: That the Parish Council adopt (a) the Bullying/Harassment Policy; (b) the Model Grievance Procedure; and (c) the Model Disciplinary Procedure.

7 COMMUNICATIONS PROTOCOL (incorporating SOCIAL MEDIA GUIDANCE)

The Communications Protocol had been updated and incorporated guidance on the use of social media. This would be subject to change when the Cheshire Association of Local Councils had formulated and published its own Social Media Policy for use throughout Cheshire.

The Social Media guidance was intended for Members only and would be removed from the formal policy document prior to uploading onto the Parish Council's website.

RESOLVED: That the Communications Protocol, as updated, be approved, subject to the removal of guidance on Social Media.

8 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.

8.1 Standing Committees

The following were the standing Committees and the Parish Council was asked to appoint Members to each. It was suggested that the appointments be made, but in view of the increased workload of the Parish Council in the previous two years, much of the work would, of necessity, be dealt with at ordinary Parish Council meetings.

RESOLVED: That the following committees be re-appointed with changes in numbers and membership as indicated. Members not present, but nominated for Committee places would be asked to confirm their agreement at the next meeting.

(1) Communications Committee (Increased from four to five Members)

Councillors M Docker (subject to his agreement), S Gwinn-Freemantle, J Hillman, M Malbon and M Theobald.

(2) Finance and Grants Committee (Increased from four to five Members)

Councillors S Clough, J Hillman, K Lawrence; and subject to their agreement, Councillors M Docker and K Nord

(3) Appointments Committee (Community Hall) (Four Members)

Councillors S Gwinn-Freemantle, J Hillman, K Lawrence and M Theobald
Named substitute: Councillor M Malbon

(4) Complaints Committee (Five Members)

Councillor S Gwinn-Freemantle; and
subject to his agreement, Councillor K Nord; and two other Members to be appointed
on another occasion.

8.2 Community Hall Committee

The Parish Council was invited to consider setting up a Community Hall Committee, with
the following Terms of Reference, to enable decisions to be taken in between Parish
Council meetings if necessary.

- (a) Membership: To comprise up to five parish councillors (but no fewer than three);
- (b) Purpose: To deal with all matters in relation to the management of the community
hall;
- (c) Quorum: The quorum shall be three parish councillors;
- (d) Finance: The Committee shall make recommendations to the Parish Council in
respect of any spending required for the purchase of items in excess of £1,000.
For items costing less than £1,000, the Committee shall have delegated authority to
approve expenditure, subject to the Clerk's submission of three quotations for the
work/goods/services, in accordance with Financial Regulations.
- (e) Number of meetings: as and when required;
- (f) The Committee shall operate in accordance with the Parish Council's Standing
Orders.

A Member expressed concern that (d) would violate the "materiality principle" with the
potential for the Committee to spend excessive sums during the year, albeit that it would
not be in excess of £1,000 on any one occasion. As the Parish Council had already set its
budget for the community hall, and financial reports were routinely submitted to the
Council, Members were satisfied that the addition of the words "*in line with the agreed
budget*" would be sufficient to avoid violating accounting principles as described.

RESOLVED: (a) That a Community Hall Committee be established comprising five
Members;

(b) That Councillors S Clough, S Gwinn-Freemantle, J Hillman, K Lawrence and M
Theobald be appointed to the Committee; and

(c) That the terms of reference be approved, subject to a re-wording of (d) to read "*The
Committee shall make recommendations to the Parish Council in respect of any spending
required for the purchase of items in excess of £1,000. For items costing less than £1,000,
the Committee shall have delegated authority to approve expenditure, in line with the
agreed budget and subject to the Clerk's submission of three quotations for the
work/goods/services, in accordance with Financial Regulations*".

9 APPOINTMENT TO OUTSIDE BODIES

The Parish Council was invited to appoint a representative(s) to the following outside
bodies. Attendance at such meetings shall count as an approved duty and expenses may
be claimed in accordance with the Parish Council's Members' Expenses Scheme.

RESOLVED: That appointments be made as follows:

- Cheshire Association of Local Councils Councillors S Clough and J Hillman
- Police Cluster meetings Councillor M Docker
(subject to his agreement)
- Stapeley Parish Action Group Councillor J Davenport

The Parish Council was also asked to nominate community trustees to Wybunbury United
Charities. It was reported that there was no requirement to appoint this year.

10 REVIEW OF RISK MANAGEMENT ARRANGEMENTS

The Council was required to review its risk management arrangements once a year. A schedule was submitted for consideration and approval.

RESOLVED: (a) That the Risk Management arrangements, as submitted, be approved, subject to the risk against item 4 (Land at Talbot Way) being listed as “M” for medium; and

(b) That in respect of item 23 (Community Hall) the Clerk ask Cheshire East Council if a general risk assessment of the hall had been carried out prior to the lease being signed.

11 CALENDAR OF MEETINGS – 2014-2015

RESOLVED: That the Calendar of Meetings for 2014-2015 be approved, subject to minor editorial amendments as indicated at the meeting.

12 FINANCIAL MATTERS

12.1 End-of-Year Accounts (2013-2014)

The Parish Council was asked to approve the accounts for the year ended 31 March 2014. BDO LLP, the external auditor had called the audit for 30 June 2014. The accounts were currently being audited by JDH Business Services, the internal auditor. The audit would not be concluded until 12 May 2014 and the Parish Council was asked to approve the accounts, taking particular note of its responsibility under Section 2 (Annual governance statement).

The following documents were submitted:

- Annual Return (pages 1 and 2)
- Balance sheet to 31 March 2014
- Accounts ledger showing receipts, income from the community hall and expenditure
- Explanation of variances.

Members also noted that the Parish Council had been randomly selected to receive an intermediate audit questionnaire as part of a 5% sample of a basic audit. The Clerk had prepared supporting notes for BDO LLP giving details of the additional documents which had been requested.

It was a requirement that the Internal Auditor be specifically appointed annually. However, this had not been carried out during 2013-2014. The Clerk had indicated this on the documents for submission to BDO LLP.

Members agreed to ratify this appointment for 2013-2014.

RESOLVED: (a) That the accounts for the year 2013-2014 be approved;

(b) That the Chairman be authorised to sign the Annual Return at the conclusion of the internal audit; and

(c) That the appointment of JDH Business Services, as internal auditor for 2013-2014 be ratified.

12.2 Appointment of Internal Auditor – 2014-2015

As noted in Minute No. 12.1 above, it was a requirement that the Internal Auditor be specifically appointed annually by the Parish Council.

RESOLVED: That JDH Business Services be appointed as internal auditor for 2014-2015.

12.3 Authorisation of Payments

RESOLVED: That the following payments be authorised:

| | |
|---------|--|
| £168.08 | HM Revenue and Customs – tax on Clerk’s salary |
| £250.00 | Chairman’s allowance (S.15(5) of the Local Government Act 1972) |
| £400.00 | Crystal Clean – cleaning of the community hall. |
| £727.50 | Cheshire Association of Local Councils – affiliation fee |
| £78.88 | Mrs C M Jones – 50% of the cost of stationery purchases |

(In approving this payment, Members noted that an invoice from Viking (Stationers) in the sum of £157.96 was submitted. The stationery items were used for all administrative work across the parish councils which employed the Clerk. In the interests of fairness, this was divided proportionately as follows:

| | |
|------------------------|-----------------|
| Stapeley & District PC | 15 hours a week |
| Other PCs | 15 hours a week |

∴ 50% of the cost to be met by the Parish Council was £78.88. The balance of £78.88 would be claimed by the Clerk from her other employers.)

[To ensure a satisfactory audit trail, an extract from the signed Parish Council minutes (for each Parish Council) would be included within the documents for auditing.]

12.4 Community Hall – Repair of Vandalised Electrical Lighting

As a result of recent vandalism at the community hall, a local electrician who had previously carried out electrical work at the community hall, was called out to effect emergency repairs. The damage was more extensive than originally envisaged and the following work was required:

- Install three new outside lights to match existing
- Replace broken photo-cell sensor

Lights and sensor would be IP rated and all have BSEN approvals.

Labour and materials costs £245.00.

In accordance with the Financial Regulations, the Parish Council was responsible for obtaining value-for-money at all times. Regulation 10.3 stated “*The Clerk/RFO issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any de minimis provisions....*”

Regulation 11 (g) stated “*When it is intended to enter into a contract [...] where the value is below £1,000 and above £500 the Clerk/RFO shall strive to obtain three estimates; otherwise*”.

As the value of the contract was less than £500 and the contractor had previously undertaken satisfactory electrical work at the community hall, the Parish Council was recommended to accept the quotation.

RESOLVED: That the quotation of £250 submitted by MBE Electrical, for repairs to outside lighting at the community hall, be approved.

13 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 address the Parish Council. There were no questions from members of the public.

14 COMMUNITY HALL – PROGRESS ON APPOINTMENT OF CARETAKER

On 30 April 2014, the Appointments Committee interviewed a candidate for the post of Caretaker of the Community Hall. Vivien Stafford had been appointed and would take up post on 1 June 2014.

15 PLANNING MATTERS

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

15.1 14/1975N – Land off Wrens Close, Nantwich

Full planning permission for 11 dwellings including access and associated infrastructure (re-submission of 13/4904N).

RESOLVED: That the Parish Council submit the same observations as were made on the original application No. 13/4904N, viz

- (1) Concern that the application made no reference to Great Crested Newts, especially in view of the recent development of newt mitigation areas in the former Stapeley Water Gardens development.
- (2) Requests Cheshire East Highways to examine the effect of this development, together with that at 69 Audlem Road, Nantwich as the Parish Council was concerned about increased traffic movement.

(Note: Having declared an interest in planning application No. 14/2051N (32 Broad Lane), Councillor J Davenport withdrew from the meeting at this point in the proceedings, and did not return.)

15.2 14/2051N (32 Broad Lane) – application for single dwelling

RESOLVED: That no objections be raised on planning application No. 14/2015N.

16 CHESHIRE EAST BOROUGH COUNCILLORS' REPORTS

There were no Borough Councillors in attendance.

17 CORRESPONDENCE

The following items of correspondence received since the last meeting were reported.

- ChALC Calendar of events was available on its website.
- Chairmanship training available on 21 May – Tarvin – early evening/afternoon session

The Clerk would make arrangements to book the Chairman and Vice-Chairman onto this training session.

18 SHARED ITEMS

The following information items were shared:

- The tapestry prepared by pupils at Stapeley Broad Lane School was still awaiting fixing in the community hall. The Chairman agreed to bring it to the next meeting of the Parish Council.
- Councillor Theobald reported on the Town and Parish Councils Conference held on 1 May 2014.

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

19 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.

20 FREE-STANDING SIGNAGE – COMMUNITY HALL

The Clerk had sought quotations based on the resolution in the Minutes of 3 April 2014. As the Minutes had been amended by the Parish Council earlier in this meeting, the quotations received could not be considered as the companies had quoted for signs in excess of 1.2 sq. metres.

21 STAFFING

(This item related to employment matters and was not, therefore, appropriate for discussion in the open meeting.)

There was brief discussion about the appointment of the new Caretaker.

22 COMMUNITY HALL LEASE

(Reason for exclusion: legal professional privilege.)

The lease had not yet been received from Cheshire East Council.

.....Chairman

The meeting commenced at 7.05 pm and concluded at 9.30 pm