

**MINUTES OF A MEETING OF STAPELEY & DISTRICT PARISH COUNCIL
HELD ON 20 APRIL 2015 AT STAPELEY COMMUNITY HALL, PEAR TREE FIELD, STAPELEY**

PRESENT: Councillor S Gwinn-Freemantle Chairman

Councillor J Davenport
Councillor P Groves
Councillor J Hillman
Councillor M Malbon
Councillor K Nord

IN ATTENDANCE: Borough Councillor Andrew Martin

Mr A Cox Green 4rchitects
Mr P Nunn

APOLOGIES: Councillors M Docker, K Lawrence and M Theobald

164 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.

165 MINUTES (16 MARCH 2015)

RESOLVED: That the Minutes of the meeting held on 16 March 2015 be approved as a correct record and signed by the Chairman.

166 PUBLIC QUESTION TIME

Mr A Cox, who had previously made pre-application presentations to the Parish Council addressed Members in respect of agenda item 12.2 (Neighbourhood Plan).

167 CHESHIRE EAST BOROUGH COUNCILLORS

Borough Councillors Andrew Martin and Peter Groves reported on Cheshire East Council matters of interest.

168 CLERK'S REPORT

The Clerk's report was received for information and included the following reference in respect of the outcome of the Public Inquiry in 2014 following an appeal by Muller Property Group, as follows:

- (a) Land off Audlem Road/Broad Lane, Stapeley;
- (b) Land off Peter de Stapleigh Way, Stapeley

The Parish Council was notified on 18 March 2015 of the decision by the Secretary of State to dismiss the appeal by Muller Property Group against:

- (a) Refusal by Cheshire East Council to grant outline planning permission for residential development up to a maximum of 189 dwellings, local centre, employment development, primary school, public open space, green infrastructure, access points and associated works in accordance with application ref: 12/3747N, dated 28 September 2012; and

- (b) The failure of the [Borough] Council to give notice within the prescribed period of a decision on an application for planning permission for a new highway access road, including footways and cycleway and associated works, in accordance with application Ref: 12/3746N, dated 28 September 2012.

A Parish Council press release was issued on the 18 March 2015 and a link was provided on the Parish Council's website to the Secretary of State's decision letter.

169 DELIVERY OF NEWSLETTER

Following the dissolution of Fusion Logistics (Macclesfield branch only) the Clerk had made contact with The Leaflet Team which distributed for other local councils in Cheshire East.

The company had quoted £135 for what was described as Solus distribution. This meant that it was a bespoke delivery service and there were no other items delivered at the same time to compete for attention. There was no VAT as this was zero-rated.

As the cost was under £500 there was no requirement to seek other quotations. The Parish Council was recommended to engage the company for one distribution and then evaluate the effectiveness.

RESOLVED: That The Leaflet Team be engaged to deliver the next newsletter at a cost of £135.00.

170 ELECTIONS – 7 MAY 2015

The Statement of Persons Nominated had been published on 10 April 2015. There were seven candidates for 10 seats and all would be returned unopposed. These comprised one for Batherton parish and six for Stapeley parish.

At the Annual Meeting on Thursday 21 May 2015 the Council would be invited to co-opt to the remaining seats.

171 COMMUNITY HALL

171.1 Revised Hire Agreement

A revised hire agreement for users of the community hall, was submitted. This had been reviewed by the Legal Adviser and although Members had previously commented that the document was too lengthy, only minor amendments had been made.

The Clerk recommended that the document be approved as presented. Whilst it was longer than Members preferred and it was possible that users might not read it, the terms were intended to protect the Parish Council (and its users) and to provide clarity in respect of liability. The document would bind all parties, irrespective of whether users read it.

Members were able to make comments and suggest amendments.

RESOLVED: That the Clerk seek clarification in respect of paragraph 13 of the hire agreement which appeared to be inconsistent with Clause 21.2 of the lease for the Community Hall.

171.2 Perimeter Fencing/CCTV

The issue of perimeter fencing had been followed up again by both the Clerk and Borough Councillor Peter Groves.

The Clerk had notified CEC Officers that the Parish Council's preference was for 2 metre high palisade fencing to surround the whole compound with pedestrian and vehicle access gates at the entrance and a further pedestrian gate to the side adjacent to the MUGA to allow for egress in the event of fire. The fencing would be painted either red or green to be more aesthetically-pleasing.

At its meeting held on 17 November 2014, the Parish Council agreed that this would be the best option as 'pound for pound' the fencing would be more robust than mesh fencing and would be difficult to compromise.

Although CEC had previously stated that it had no funding for the fencing, either in whole or in part, Borough Councillor Groves had been exploring the possibility of a 50% contribution. In his discussions with Borough Councillor Michael Jones (Leader of the Council) Councillor Groves had been advised that CEC was not in a position to contribute to the funding at this time. However, the full funding for the fencing had been included in the Parish Council's budget for 2015-2016. As the source of funding was from the 'public purse' it would have little impact on the Council-tax payers in the parish whether it was funded by the Borough Council or the Parish Council.

Subsequent to issue of the agenda, CEC had authorised a fencing contractor to make a site visit on 15 April 2015. The Facilities Manager (CEC) had indicated that to fence the whole area would cost in the order of £13,000. The quotation sought by the Clerk and submitted to the November 2014 meeting was approximately £8,000.

Councillor Groves took the opportunity to report on his discussions with Councillor Jones who had suggested the Parish Council might wish to consider installing CCTV as a means of reducing the vandalism. It was recalled that Mark Cotton, Cheshire Police Crime Reduction Adviser, had attended the Parish Council meeting on 7 November 2013, at which time he had advised against the use of CCTV, partly because of the poor quality of the images captured. The Parish Council eventually voted against installing CCTV and removed it from the budget proposals.

It was reported that although the consultation responses to the Neighbourhood Plan questionnaire had yet to be evaluated, there were a significant amount of respondents who were against CCTV and in favour of fencing around the hall.

Following further discussion, Members agreed that the fencing should be installed without undue delay. The Clerk undertook to seek at least one other quotation which, together with the CEC quotation, would satisfy the requirements of the Financial Regulations for three quotations.

It was suggested that to engage younger people in the parish, pupils from Brine Leas School could be invited to participate at a later date in any landscaping within the compound area of the hall.

RESOLVED: That the Clerk endeavour to submit quotations for perimeter fencing to the May meeting.

172 AUTOMATED EXTERNAL DEFIBRILLATOR (AED)

It was reported for information that the Clerk had now issued the formal order to Defib Shop for a fully automatic AED based on advice received both from the Defib Shop itself and also NW Ambulance Trust.

An Officer from NW Ambulance Trust (NWAT) was due to inspect the Co-Op premises to confirm that the building was suitable for the AED. As soon as the equipment was delivered, arrangements could be made for this to be installed. Mr Blair (NWAT) had advised that a qualified electrician should install the equipment and it was suggested that MBE Electrics be asked to fit this, as the company currently carried out most of the electrical work at the community hall.

A Memorandum of Understanding was submitted. This had been provided by NWAT and set out the responsibilities of the two parties, ie. NWAT and the Static Responder Site (in this case, the Co-Op Store).

After the equipment was installed, Members would need to consider the following:

- Publicity to inform the community of the location of the equipment.
- Awareness/training sessions to be arranged as close as possible to the time of fixing the AED to the wall of the Co-Op store. The training would help to provide assurance to all potential users of the equipment, including staff at the Co-Op store, that they will not be legally liable in the event of resuscitation efforts failing.
- Users will need to be assured that they cannot worsen a patient's condition by using the equipment and this can be achieved through awareness sessions which can be arranged at the community hall, delivered by NWAT Officers.
- CPR training can be provided as part of the awareness sessions. This is an essential component of this scheme. If there is more than one person present when a patient has a sudden cardiac arrest, one person will carry out CPR whilst the other person collects the AED.

RESOLVED: (a) That the information be noted; and

(b) That in due course, the Council consider arrangements to publicise the location of the equipment and arrange awareness/training sessions.

173 NEIGHBOURHOOD PLAN

173.1 Steering Group Minutes

The Parish Council received the Minutes of the Neighbourhood Plan Steering Group meetings held on 19 February and 24 March 2015.

It was noted from the Minutes of the 24 March 2015 that reference was made to a Constitution for the Group, as tabled by Andrew Thomson (Planning Consultant) at that meeting. The constitution referred to was the Terms of Reference (ToR) for Bunbury Neighbourhood Plan Steering Group. The Parish Council was reminded that it had already approved its own ToR at the Council meeting held on 20 October 2014. A further copy was provided for ease of reference.

The Steering Group would be holding its next meeting on 30 April.

173.2 Evaluation of Consultation Responses

The Steering Group reported progress on evaluation of the responses to the second consultation issued in March. As the deadline for receipt of responses was 30 March 2015 it had not yet been possible for the results to be evaluated. A total of 450 responses had been received to date and the data was currently being recorded.

173.3 Consultation Comments (Muller)

Mr M Wedderburn (Planning Manager) Muller Strategic Projects Limited had commented on the second consultation and this had been issued to Members under separate cover.

Andrew Thomson (Planning Consultant) had drafted a response to the comments made by Muller and this was now submitted for the Parish Council's approval.

Members agreed that the most appropriate course of action would be to send a letter of acknowledgement to Mr Wedderburn informing him that a further letter would be sent to him in the next few weeks inviting him to attend a meeting of the Neighbourhood Plan Steering Group.

RESOLVED: That the Clerk acknowledge the letter from Mr Wedderburn of Muller Strategic Projects Limited advising him that within the next few weeks he would be invited to attend a meeting of the Neighbourhood Plan Steering Group.

173.4 Application for External Funding

The Parish Council was invited to approve an application for external funding (to Locality) in the sum of £8,000, to complete the Neighbourhood Plan process.

The funding period would be from 30 April 2015 and would last for six months (or until the end of the financial year), whichever was the earliest. The fund must, therefore, be spent by 30 October 2015.

The application must be supported by a quotation for consultant's technical fees and a project plan. The quotation for consultant's fees had been provided. A model project plan had been provided by Locality and this had been completed as far as possible by the Clerk, based on the Steering Group's own timeline.

RESOLVED: That the application for external funding be approved, subject to the inclusion of the following information:

Identify and contact key local partners	Proposed start date: 12 May 2015 Proposed end date: 31 July 2014
Speak to Local Authority about screening for SEA (Strategic Environmental Assessment)	To be advised

173.5 Neighbourhood Planning Seminar – 31 March 2015 (Macclesfield)

Councillor Hillman reported on the Planning Seminar held on 31 March 2015 at which time she had been accompanied by Pat Cullen (Volunteer member of the Steering Group). The power-point presentation had been forwarded to Members under separate cover.

174 PLANNING

174.1 Working Group

The Parish Council was invited to set up a small working group of Members which could work with Mr Adrian Cox and his client in respect of development of land at Haymoor Green.

Although the Parish Council was not the determining body, Members were reminded of their obligation to adopt an impartial approach. An objective consideration of material facts when the planning application was submitted was the correct place for the views to be expressed. However, there was benefit to both parties in engaging in pre-application discussions.

The Council was also reminded that working group discussions would not be binding and that Members might not, necessarily, hold the same views when the planning application was eventually submitted to the Parish Council.

RESOLVED: (a) That a working group of Members be established to consider proposed development on land at Haymoor Green;

(b) That Councillors M Docker, S Gwinn-Freemantle, J Hillman and K Nord be appointed to the working group; and

(c) That it be noted that the working group's role was fact-finding and would have no delegated powers to act on behalf of the Parish Council.

174.2 Neighbourhood Plan

Subsequent to the March meeting, Mr Cox suggested that his client's proposals could be considered for inclusion in the Neighbourhood Plan. This had been considered by the Steering Group on 24 March 2015 and the Minutes of that meeting had been sent to Mr Cox. His response was enclosed for consideration either by the full Parish Council or for the Steering Group at its next meeting.

RESOLVED: (a) That the Steering Group consider the response from Mr Cox at its meeting to be held on 30 April 2015;

(b) That key issues be presented to the Parish Council with the Steering Group's observations; and

(c) That, following the Parish Council's consideration of the Steering Group's observations, the working group discuss matters with Mr A Cox.

174.3 Planning Appeal

14/4421N 3 Pollard Drive, Stapeley
Proposed works to relocate an existing garden wall to the site boundary (approx. distance of 3.1m) allowing the extension of the Existing garden area within the wall.
Appeal Ref. APP/R0660/D/15/3004463

It was noted that the applicant had lodged an appeal against the Local Planning Authority's refusal of the above application. The appeal would be determined on the basis of written representations.

Note: Borough Councillor A Martin withdrew from the meeting at this point in the proceedings.

Although the Parish Council could submit comments to the Appeal, it was –

RESOLVED: That no observations be made on planning application No. 14/4421N.

174.4 Planning Applications

- The following application was withdrawn as it had been determined on 15 April 2015.

15/0906N 20A London Road, Stapeley, CW5 7JL
Proposed double garage

- The Parish Council was invited to comment on the following planning application:

15/1711N 105 London Road
Application for a lawful development certificate for a proposed use or development – demolition of existing timber building and erection of replacement ancillary building.

RESOLVED: That no comments be made on planning application No. 15/1711N.

175 FINANCIAL MATTERS

175.1 Authorisation of Payments

RESOLVED: That the following payments be authorised:

£210.00	Johnsons Printers	Printing of special edition newsletter
£151.00	Johnsons Printers	VAT on invoice approved at March meeting. Note: payment was made based on the quotation, but the invoice, subsequently received, included VAT.
£136.21	Scottish Power	Unmetered electricity. (£129.72 net and £6.49 VAT)

£600.00	Hall, Smith, Whittingham LLP	Legal work associated with renewal of the community hall lease and review of the hiring agreement. (£500.00 net and £100.00 VAT)
£357.37	HM Revenue & Customs	This represented an under-payment across the year 2014-2015. It comprised tax on the Clerk's salary and employer's NI contribution. This would bring the Parish Council up-to-date.
£427.50	Crystal Clean (Cleaning Community Hall)	£45 of this invoice related to opening and closing for private functions at the Community Hall.
£255.54	HM Revenue & Customs	Tax on Clerk's salary (for month one of the new tax year commencing 6 April 2015) £206.40 tax £49.14 employer's NI contribution This included arrears for the period 1 Jan 2015 – 31 March 2015
£133.19	M Theobald	Reimbursement for bespoke PVC banners 1000mm x 3000mm single-side 540 gsm x 2 £110.99 net, £22.20 vat
£78.00	Richard Brown	Servicing of community hall central heating system on 15 April 2015. The Clerk authorised the service under delegated powers contained in paragraph 12 (b) (j) of the Financial Regulations. £65.00 net, £13.00 VAT

The Council was also asked to authorise fees for planning applications for the 'community hall' sign and perimeter fencing, respectively. In view of the discussion under Minute No. 171.2, it was **AGREED** (a) that this be deferred for the time being; and (b) that in respect of the planning application for the community hall sign, the Clerk would re-present the request at the next meeting.

175.2 Appointment of Internal Auditor (2015-2016)

The Parish Council was invited to appoint JDH Business Services as the internal auditor for 2015-2016.

RESOLVED: That JDH Business Services be appointed as Internal Auditor for 2015-2016.

176 WEBSITE CONTENT/DESIGN

Members had previously agreed to review the content and design of the website. It was reported that no specific suggestions had been provided to Councillor Jo Hillman who had agreed to collate suggestions. Given the amount of work currently facing the Parish Council, predominantly the Neighbourhood Plan, Members **AGREED** to defer this until later in the year.

177 DATE OF NEXT MEETING

Thursday, 21 May 2015

7.00 pm Annual Parish Meeting
To include presentation of draft Neighbourhood Plan (or update on progress)
7.30 pm Annual Council Meeting

Members were reminded that the **Annual Parish Meeting** was held on the same evening as the Annual Meeting of the Parish Council. These were two separate and distinct meetings but were held for convenience on the same evening.

178 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.

179 WEBSITE RENEWAL

(Reason for exclusion: commercial sensitivity)

The Parish Council considered a quotation for domain renewal and hosting. The quotation was from Andrew Shepherd, the current provider of the service. No other quotations had been sought, in accordance with Financial Regulation No. 11 (a) (iv) *For work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council*, on the basis that this constituted a continuing contract. Mr Shepherd had designed and set-up the website in 2008 and had continued to provide the hosting and support service.

RESOLVED: That the quotation submitted by Andrew Shepherd be approved as follows:

Hosting – 2 years commencing 29 June 2015, terminating 28 June 2017, to include:

30 GB Bandwidth per month	
25 Gb Web space usage	
10 SQL databases	
100 POP3 Mailboxes	
Spam & Virus protection	
Full redirection of Parish Council E-mail addresses	
Maintenance of Mailing groups	
Webmail if required	£189.81 (including VAT)

Renewal of Stapeley Parish Council Domain 2 years, from the 25 May 2015	£179.99 (including VAT)
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Administration
2 years commencing 29 June 2015

Administration of site, (Includes testing of all updates on all major browsers for compatibility. Also testing on text based browser (LYNX) for accessibility for users with visual problems) 8 days @ £150.00 per day	£1,200.00
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.....Chairman