

**MINUTES OF AN EXTRA-ORDINARY MEETING OF STAPELEY & DISTRICT PARISH COUNCIL,
HELD ON 13 NOVEMBER 2012
AT BROAD LANE METHODIST CHAPEL, BROAD LANE, STAPELEY**

PRESENT: Councillor S Gwinn-Freemantle Chairman
Councillor R Samra Vice-Chairman

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

APOLOGIES: Councillors S Clough and M Galt

IN ATTENDANCE: Bob Hindhaugh Hindhaugh Associates Ltd
Simon Boone Hindhaugh Associates Ltd
Craig Cameron)
Ann Robbins) Community Hall Management Committee
Jane Melrose)
Sue Pritchard)

184 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.

185 PUBLIC QUESTION TIME (10 MINUTES)

There were no questions from members of the public.

186 STAPELEY COMMUNITY HALL (deferred from 8 November meeting)

186.1 The Parish Council was invited to establish a Committee of the Parish Council which could be advisory or executive. The Clerk's report which included suggested Terms of Reference for both types of committee was submitted for consideration.

Mr Cameron, who was Chairman of the current Management Committee made up of local residents, was invited to make recommendations in respect of the type of Committee preferred by the volunteers. There was no preference expressed as there were benefits to both advisory and executive.

RESOLVED: (a) That the Parish Council establish an Executive Committee of the Parish Council comprising five parish councillors, three named parish councillor substitutes (subject to additional named-substitutes being agreed at future meetings) and up to twelve members of the public;

(b) That Councillors S Gwinn-Freemantle, P Groves, K Nord, M Malbon and R Samra be appointed as substantive Members; and

(c) That Councillors M Docker, J Davenport and J Hillman be appointed as named substitutes;

(d) That the quorum for each meeting be three parish councillors; and

(e) That a full copy of the Terms of Reference be appended to these minutes at Appendix 1.

186.2 Arrangements for Operation of the Hall

Members discussed a number of issues related to the operation of the hall and considered recommendations made by the former Management Committee.

- Setting hire charges as detailed below

Activity	Examples	Hire Charges	
		Weekdays	Weekends
Children's and non-profit activities	Beavers, children activity clubs, community meetings	£12 per hour	£50 all day
Adult classes and commercial activities	Martial arts, weight-watchers, children'	£18 per hour	£50 all day

Activity	Per week	Rate
Regular booking Mon-Fri : 3 hours per day	15 hours	£12
Evening children's rates: 1 hour, 4 nights per week	4 hours	£12
Evening adult rates: 1 hours, 4 nights per week	4 hours	£18
Weekend bookings: 5 per month	1 or 2	£50

- Receipt of electronic payments by such methods as PayPal alongside a system of receiving cheques and cash.
- Access to the hall; currently there was a key and security fob. The installation of a keypad, with the security code being changed frequently, was recommended.
- The removal of a deposit requirement for bookings.
- A revenue and cost forecast was to be updated and submitted to the Committee in due course.

RESOLVED: (a) That the hire charges as recommended by the former Community Hall Management Committee be accepted;

(b) That, in principle, receipt of payments from users of the hall be accepted electronically;

(c) That the Clerk make enquiries of Cheshire East Council in respect of the legal process, and timing of that process, for creation of a new lease following the termination of the current lease; and

(d) That the Clerk request permission from Cheshire East Council for the installation of a keypad access.

186.3 Appointments Committee

The Parish Council was invited to set up an Appointments Committee which would have delegated powers to appoint staff to work at the Community Hall.

RESOLVED: (a) That an Appointments Committee be set up with the following Terms of Reference;

(b) That Councillors S Gwinn-Freemantle, P Groves, K Nord, M Malbon and R Samra be appointed as substantive Members; and

(c) That Councillors M Docker, J Davenport and J Hillman be appointed as named substitutes.

Terms of Reference

- (a) The Committee shall comprise five parish councillors, with three named substitutes;
- (b) The Committee shall prepare job descriptions, terms and conditions of appointment, and salary rates (for approval by the Parish Council);
- (c) The Committee shall have delegated responsibility to act on behalf of the Parish Council in respect of the appointment of staff for Stapeley Community Hall, as follows –
 - i. To meet as and when required;
 - ii. To advertise vacancies as appropriate;
 - iii. To prepare a short-list of candidates for interview if appropriate;
 - iv. To conduct interviews with candidates;
 - v. To arrange with the Clerk, collection of NI and PAYE as appropriate.
- (d) To report appointments to the Parish Council; and
- (e) To update the Parish Council on any staff matters as and when appropriate.

187 PLANNING MATTERS

The Parish Council was invited to submit formal observations on the following planning applications. Mr Bob Hindhaugh and Mr Simon Boone, of Hindhaugh Associates Ltd were in attendance and outlined their technical review of the transport data which had accompanied both planning applications.

12/3746N New highway access road, including footways, cycleway and associated works - Land off Peter de Stapleigh Way for Muller Group Homes

12/3747N Application for access to be taken off Audlem Road/Broad Lane, but submitted with an indicative masterplan proposing outline application for development including 189 dwellings, for Muller Group Homes.

RESOLVED: That the Parish Council object to planning applications 12/3746N and 12/3747N for the reasons given in **Appendix 2** attached to these minutes.

188 PUBLIC QUESTION TIME

There were approximately 30 members of the public in attendance at this point in the proceedings. The Chairman extended the question time from 10 minutes to 30 minutes to allow the public to question Mr Hindhaugh in respect of his review of the planning applications (Minute 187 above).

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

189 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.

PART 2

190 HOUSING DEVELOPMENT IN THE PARISH

The Parish Council received further strategic information from Mr Bob Hindhaugh and Mr Simon Boone who were in attendance for discussion of this item.

.....Chairman

The meeting commenced at 7.30 pm and concluded at 10.15 pm

STAPELEY COMMUNITY HALL MANAGEMENT COMMITTEE**TERMS OF REFERENCE**

- (a) Committee Name: Stapeley Community Hall Management Committee
- (b) Status: Executive
- (c) Membership: To comprise five parish councillors and three named substitutes; and up to twelve members of the public who are resident in the parish.
- (d) Purpose: To deal with all matters in relation to the management of the community hall, including the preparation of policies and procedures.
- (e) Quorum: The quorum shall be three parish councillors. (No business shall be conducted in the absence of at least three parish councillors.)
- (e) 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.

Where it is necessary to make a payment before it has been approved by the Committee, such payment shall be certified as to its correctness and urgency by the Clerk/RFO and shall be authorised by the Clerk (as Proper Officer) with the approval of the Chairman or Vice-Chairman of the Parish Council. In accordance with Financial Regulation 6.5, the payment must be under a head of expenditure as identified in the Council's budget for the appropriate year. The Clerk shall report such expenditure to the next Committee meeting.

Such expenditure shall be reported to the next Parish Council meeting.

- (f) Fees and charges: To set the fees and charges for hiring of the hall together with additional requirements to supplement the hiring terms and conditions.
- (g) Payment for bookings shall be in accordance with the hiring terms and conditions.
- (h) Employment of staff: The Parish Council has established an Appointments Committee to act on its behalf to employ such staff as are necessary to enable the hall to be operated, and to ensure that PAYE and NI contributions are met.
- (i) Number of Meetings: As and when required.
- (j) Notice of meetings shall be in accordance with public notice requirements as set out in the Public Bodies (Admission to Meetings) Act 1960 (i.e three clear days' notice, excluding the day of issue of the agenda and the day of the meeting).
- (k) The Clerk to the Parish Council shall convene meetings, in consultation with the Chairman of the Committee, and shall attend meetings, taking notes and preparing minutes which shall be submitted to the next available meeting of the Parish Council.
- (l) Where the Parish Clerk is not available to service the Committee, a member present shall be elected to take the minutes of the meeting.

- (m) The Committee shall elect its own Chairman at its first meeting. There is no requirement for the Chairman to be a parish councillor. The Chairman shall be re-elected at the first annual meeting of the Committee. *(It should be noted that as non-councillors have no voting rights on executive committees, if the Chairman is not a councillor, he/she does not have a casting vote.)*
- (n) Voting shall be in accordance with the Parish Council's Standing Orders (generally by a show of hands).
- (o) Records: The Committee shall keep up-to-date records of actions and decisions (minutes of meetings) and these shall be reported to the next available Parish Council meeting.
- (i) To deal with any other matters associated with the operation of the hall, not specifically mentioned in these terms of reference, having regard to the Parish Council's Standing Orders and Financial Regulations.
- (m) The Committee shall, at all times, be subject to the Parish Council's Standing Orders and Financial Regulations. Parish Councillors shall be subject to the Code of Conduct; all members of the Committee shall comply with the health and safety policies for the community hall; and, if appropriate, members of the Committee shall be subject to Criminal Records Bureau checks.
- (n) The Parish Council reserves the right to amend these Terms of Reference at any time.

To note the Parish Council membership for the time being:

Councillor Sandy Gwinn-Freemantle
Councillor Peter Groves
Councillor Raj Samra
Councillor Keith Nord
Councillor Martin Malbon

Named substitutes:

Councillor John Davenport
Councillor Mike Docker
Councillor Jo Hillman

**Observations on Planning Applications Nos. 12/3746N and 12/3747N
Submitted by Muller Homes on land South of the Cronkinson Farm Development, Stapeley
(as submitted on 16 November 2012)**

The Parish Council has considered the above planning applications and makes the following comments, numbered 1 – 4, together with a summary of the technical highway appraisal in respect of each application carried out by Bob Hindhaugh Associates Limited on behalf of the Parish Council. The company's summary appraisal is appended below at No. 5.

The Parish Council requests the Borough Council to take into account the observations made and recommends that both applications be refused for the reasons given.

1. Objections on highway grounds as detailed in the consultant's report appended below.
2. Crewe and Nantwich Borough Council's Adopted Replacement Local Plan 2011 which was also adopted by Cheshire East Council (pending the development and adoption of a new Local Plan) states under RES.5 (Housing in the Open Countryside) (pages 61/62) that –

Outside settlement boundaries all land will be treated as open countryside. New dwellings will be restricted to those that:

- A) Meet the criteria for infilling contained in Policy NE.2; or
- B) Are required for a person engaged full-time in agriculture or forestry in which case permission will not be given unless:
 - Applicants can demonstrate that a location in the open countryside is essential for the efficient working of the enterprise;
 - It can be demonstrated that the new dwelling cannot be accommodated within a defined settlement;
 - There is no suitable, existing dwelling on the site or nearby;
 - There are no suitable buildings on the site or nearby which could be converted into a dwelling;
 - Where possible, the new dwelling is sited within a nearby group of existing dwellings or a farm/building complex;
 - The new dwelling is of a form, bulk, design and materials which reflects the locality's rural character and the needs of the enterprise; and
 - The new dwelling should be neither unusually large in relation to the size of the holding, nor too expensive to construct in relation to its income.

The land which is the site of the application is outside the settlement boundary and the Parish Council considers that none of the criteria apply.

3. The current drainage system is already inadequate and additional development will exacerbate the problem. There have been a number of dwellings on Broad Lane which have flooded in recent years.
4. The Parish Council was unable to see how this application was sustainable in terms of local employment.
5. Technical Highway Appraisal of the Applications – carried out by Bob Hindhaugh Associates Ltd.

Three major reports have been submitted by Singleton Clamp Consulting Engineers in support of the Muller Property Group. The Parish Council thanks the Borough Council for allowing a time extension until 19 November 2012 which allowed the Parish Council the opportunity to obtain independent professional advice and provide a detailed analysis of these documents. Appended below is a

summary of the key findings of this appraisal, in which it is clearly demonstrated that there are number of serious and fundamental flaws which have major impact on the local area.

The Parish Council would like to thank Borough Councillor Michael Jones who allowed the Council's own traffic count survey to be passed onto the Parish Council's consultant to be used within the technical review. Although Hindhaugh Associates' independent report was concluded, they received the traffic count data later on Tuesday evening (13 November 2012) and their initial observations identified that the applicant's traffic count was 10% lower at the Newcastle Road/Elwood Road junction. This would provide some explanation as to why the applicant used an evening peak hour count of 16.45 – 17.45 instead of the traditional peak of 17.00 – 18.00. This would account for the consultant's traffic flow data being represented in a lower number and providing a full and proper account of the actual traffic situation on the local highway network around Stapeley. This, of course, is only one of the four junctions very close to the application site which gives the general public and the Parish Council grave concerns that the traffic assessment is flawed.

If, after considering all the objection responses to these applications the local planning authority is still minded to recommend approval of the applications, the Parish Council would want to see and be allowed to comment on what would be expected to be an extensive list of mitigation measures and improvements, which would demonstrate that with these measures it would make the situation better for road users, or at the very least, make it no worse.

It is the Parish Council's opinion that, together with a number of other objections from the residents of the Parish, these proposals in their current form would cause severe impact on the local highway network and would be detrimental to the already congested flow of traffic and not in the interests of highway and pedestrian safety.

The Parish Council would urge the Local Planning Authority to recommend refusal of both these applications in the interests of public safety.

**SUMMARY OF TECHNICAL HIGHWAY APPRAISAL
(Bob Hindhaugh Associates Limited)**

**PLANNING APPLICATIONS, 12/3746N and 12/3747N SUBMITTED
BY MULLER HOMES ON LAND SOUTH OF THE CRONKINSON FARM DEVELOPMENT,
STAPELEY, CHESHIRE.**

SUMMARY CARRIED OUT ON BEHALF OF

STAPELEY & DISTRICT PARISH COUNCIL

CLIENT: STAPELEY & DISTRICT PARISH COUNCIL

15th NOV 2012

1.0 INTRODUCTION

1.1 The Muller Group provided the following major documents and reports as part of their planning submissions for applications, 12/3746N and 12/3747N.

- **TRANSPORT ASSESSMENT (TA) for 12/3747N**
- **TRANSPORT STATEMENT (TS) for 12/3746N**
- **A51 ROUTE STUDY for 2/3746N and 12/3747N.**

1.2 This document is a summary of the three main sections taken from the Technical Highways Appraisal document prepared by Bob Hindhaugh Associates on behalf of Stapeley & District Parish Council 13th November 2012.

2.0 SUMMARY OF THE TRAFFIC ASSESMENT (FOR APPLICATION 12/3747N)

2.1 THE ROUNDABOUT LAYOUT

2.2 The design principles of this roundabout are inappropriate, as the A529 at Broad Lane is a classified road and as such should come under the design manual for roads and bridges, not Manual for Streets. Broad Lane is on the edge of the built-up area, rural in nature and has an 85th percentile speed reading higher than the existing speed limit of 30 mph. For these reasons the proposed roundabout should have been designed in accordance with TD 16/07 DMRB.

2.3 No speed data was supplied within the TA but this was obtained on behalf of the Parish Council by Access hdpc. The results of the speed survey showed a higher average speed than the existing speed limit of 30 mph along Broad Lane close to the location of the proposed roundabout.

2.4 A swept path analysis drawing should have been provided as part of the planning application 12/3747N as the proposed access is to be considered with all remaining elements outline, coming forward as reserve matters applications.

2.5 Pedestrian and cyclists crossing facilities are inadequate for the speed and type of road at the proposed access on Broad Lane. When considering that 1215 dwelling and mixed-use site is proposed near to a primary school, already suffering with traffic-related issues, a PUFFIN or TOUCAN should have been considered to offer pedestrians and cyclists safe passage.

2.6 In view of the lack of information in support of an achievable safe working compact roundabout to serve all road users safely.

RECOMMENDATION: I recommend that the Local Planning Authority refuses planning application 12/3747N on highways safety grounds and lack of information.

2.7 In addition to the roundabout concerns, the site does not embrace or consider in any detail sustainability. There are no recommendations as to how sustainable links will reduce the reliance of car-borne journeys from this site with no mitigation measures or improvements suggested. On this point alone I consider the application can be recommended for refusal as it does not meet with current sustainable policies or requirements of the adopted Local Plan.

2.8 In view of the lack of supporting evidence in terms of available peak time road capacity at and around the development site and adjacent major traffic corridors and priority junctions,

RECOMMENDATION: I recommend that the Local Planning Authority refuse planning application 12/3747N.

3.0 THE TRANSPORT STATEMENT

3.1 I do not consider the correct pm peak hour has been used in this case. The traditional peak in 17.00 -18.00 and not 16.45 – 17.45 as used in the TS. In my view this does not give an accurate reflection of full traffic operations on the link. The key quartile 17.45 – 18.00 is omitted and this is when the link is at its most congested.

3.2 The TS makes no attempt to discuss any mitigation measures required to ensure reasonable sustainable links other than a footway link opposite Hawksey Drive; although this application is solely for access there is no indication as to how this footway will be achieved.

3.3 In my professional view, planning application No 12/3746N should have come forward for consideration for an access for both pedestrians and vehicles in the first instance and as part of an outline planning application, where all the principles for future development mentioned could have been considered at this stage, Along the same lines as the Broad Lane application.

3.4 In view of the lack of information in support of sustainable links, **I recommend that the Local Planning Authority refuse planning application 12/3746N on highways safety grounds and lack of information.**

3.5 In view of the lack of supporting evidence in terms of available peak time road capacity at and around the development site and adjacent major traffic corridors and priority junctions, **I recommend that the Local Planning Authority refuse planning application 12/3746N.**

4.0 SUMMARY OF SECTION 5.0 – THE A51 ROUTE STUDY

4.1 Having looked in detail at both the Singleton Clamp and Mouchel studies it is quite clear that the main areas of concern identified within the independent Mouchel report have not been fully considered in the Singleton Clamp report. They do not mention the key findings of the Mouchel report! (ie that the A51/A500 as a regional route, has a high collision rate and that the collision severity indices is above the National Average, 5.1.3 Mouchel Report 2010). In addition HGV collision rates on the route are also significantly above the National average.

4.2 In view of the lack of supporting evidence in terms of available peak time road capacity at and around the development site and adjacent major 'A' road corridors and priority junctions, **I recommend that the Local Planning Authority refuse planning application 12/3746N and 12/3747N.**

5.0 SUMMARY OF AREAS OF MAJOR CONCERN

- The roundabout is not designed in accordance with the relevant design manual and specification.
- The complete lack of any provision or measures to support alternative modes of travel and encourage sustainability.
- It is evident that congestion occurs at every peak time and this is confirmed in the Mouchel (A500/M6 2010) document on this route. We also have photographic evidence to the extent of the queue lengths causing congestion at all the relevant junctions and 'A' road corridors.
- I fail to accept that the traffic generation from the development proposals will not significantly worsen the capacity of the local highway network, as a result of the proposed development coming forward, as set out in 10.11 of the Singleton Clamp transport assessment.

Based on the findings contained with the technical highways report and summary above, I would recommend that the Parish Council formally objects to planning applications 12/3746N and 12/3747N. These proposed developments would have a significant detrimental impact on the local highway network, resulting in increased congestion to priority junctions, impacting onto the A530 and A51 corridors as well as the A500 and M6 at junction 16.

All of the above is classed as "Severe" as mentioned in the National Planning Policy Framework (NPPF) and on that basis alone should be recommended for refusal.

Bob Hindhaugh
(Bob Hindhaugh Associates Limited)