

**MINUTES OF A MEETING OF STAPELEY & DISTRICT PARISH COUNCIL  
HELD ON 19 APRIL 2021**

**(THE MEETING WAS HELD VIA VIDEO-LINK IN ACCORDANCE WITH  
REGULATIONS INTRODUCED UNDER REGULATION 78 OF THE CORONAVIRUS ACT 2020)**

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**PRESENT:** Councillor M Theobald Chairman  
Councillor M Docker  
Councillor S Ford  
Councillor J Gibbs  
Councillor P Groves  
Councillor J Hillman  
Councillor A Jacobs  
Councillor K Nord

**IN ATTENDANCE:** Borough Councillor A Martin  
One member of the public

**APOLOGIES:** Councillor J Davenport  
Councillor G Gwinn (owing to technical difficulties with access)

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**305 DECLARATIONS OF INTEREST**

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.

**306 MINUTES – 15 MARCH 2021**

**RESOLVED:** That the Minutes of the meeting held on 15 March 2021 be approved as a correct record.

**307 PUBLIC QUESTION TIME**

Members of the public were able to ask a question of the Parish Council or make a statement.

There were no members of the public in attendance.

**308 REPORT OF BOROUGH COUNCILLORS**

Councillors Peter Groves reported that the Borough Council was proceeding with its move from the Cabinet style of local government to Committees and this was expected to be completed by 12 May 2021.

**309 COMMUNITY HALL**

**309.1 Re-opening**

The Parish Council reviewed the situation in respect of the opening of the Community Hall and received the following documents to aid discussion.

- Regular bookings in the hall.
- Summary of Covid-19 guidance provided by Councillor A Jacobs.
- CEC Risk Assessment for polling stations.
- Advice from ACRE (Action with Communities in Rural England)

The Clerk had emailed all clients to ask if they wished to return to the hall. Responses were awaited.

It was acknowledged that the re-opening of the hall was a complex issue to ensure that all parties remained safe. In view of this, it was agreed that a working group be established to discuss in detail, the requirements to enable the hall to be opened at the earliest opportunity.

**RESOLVED:** (a) That a working group be set up comprising Councillors S Ford, A Jacobs, J Gibbs, M Docker and J Hillman.

(b) That Community Hall clients be asked to forward their own risk assessments by 6 May 2021;

(c) That the Working Group review each of the risk assessments;

(d) That hall clients be asked to indicate what equipment they would be providing themselves when they resumed activities in the hall;

(e) That the Clerk issue to all clients, a copy of the Rhino Covid-19 risk assessment which had recently been reviewed, and was up-to-date;

(f) That the Police be asked to confirm that their mitigations were remained appropriate for occupation of the office in the Community Hall; and

(g) That the Working Group report to the next meeting.

### **309.2 Lateral Flow Testing – Booking to take place during the Pandemic**

The Operations and Logistics Manager at Cheshire East Council asked the Parish Council to consider allowing the Community Hall to be used for its Lateral Flow Tests (LFTs) and Community Collect scheme in the south of the borough. They had studied their Asymptomatic Test Site analysis and noted that the busiest periods at each site, daily, are between 9.00 am and 3.00 pm.

The Team would like to use the 'Swab Squad' for the following:

- A six week 'pilot'
- Two days a week (preferably not Mondays as bank holidays would interfere with consistency).
- Commencing as soon after 19 April 2021 as possible.
- Access to the hall from 8.00 am and departing at 3.00 pm.
- LFTs and Community Collect to be available to the community from 8.30 am to 2.30 pm.

**RESOLVED:** (a) That the Parish Council decline the request from the Operations and Logistics Manager at Cheshire East Council, for use of the Community Hall as described above; and

(b) The reason for declining the request was on the basis that it would necessitate displacing regular clients, who may choose other venues, and once the pandemic was over, would be unlikely to return.

### **309.3 Repair of Fencing**

The invoice for the repair of the fencing was included in the schedule of payments to be authorised. The cost was £589.68 (£491.40 net and £98.28 VAT).

### **309.4 Pedestrian Gate to be fitted in fencing adjacent to MUGA**

At the previous meeting, the Parish Council suggested that there may be some merit in having a pedestrian gate installed on the side adjacent to the MUGA. This would prevent users of the MUGA from either climbing over the fencing or damaging it to gain access.

Trentham Fencing had quoted £890.00 net for fitting a single-leaf gate. This would be a galvanised finish and would be in a more traditional 50 mm square mesh finish and would not, therefore, appear to be trying to mimic the fencing. It would be a stand-alone item and design. If the Council wished it to be sprayed in the same colour as the fencing, this would add £250.00 to the cost.

Although a significant cost, Members considered this, against the cost of repairs which had occurred over the years as a consequence of vandalism.

**RESOLVED:** (a) That Trentham Fencing be asked to supply a single-leaf gate in galvanised finish in a traditional 50 mm square mesh finish; and

(b) That the gate be wheelchair accessible; and

(c) That the gate be fitted into the fencing closes to the MUGAI .

### **309.5 Replacement of internal lighting**

The current electrician had commented that in the interests of efficiency, the lighting in the hall would benefit from replacement.

There were 24 internal and eight external lights, none of which were LED. The cost to replace all of the remaining lights to LED would be £1,760.00 net. The electrician had commented that this would be less expensive than paying for call-outs when lights failed.

The Parish Council agreed with this and it was –

**RESOLVED:** That the Clerk seek two further quotations for replacement of the internal lighting, being converted to LED lights (warm white); and

(b) That the cost be funded from the £5,000 earmarked budget for maintenance and repairs for the Community Hall.

### **309.6 Fire Risk Assessment Action Plan**

At the March meeting, a number of issues were raised during discussion of the Fire Risk Assessment (FRA). Page 20 from the FRA was now submitted. This showed a series of actions required, as follows:

- Fire door required re-hanging. As the building was owned by Cheshire East Council (CEC), this would be the Borough Council's responsibility, and it was unlikely that the Parish Council would be permitted to arrange the re-hanging.
- A ramp was required from one of the fire doors to ensure that it was wheelchair accessible. Cheshire East Council to be asked to provide this.
- Signage required on the fire exit at the rear to indicate that when exiting the building in the case of a fire, pedestrians must turn right.
- Seek CEC's permission to undertake some of these actions required, or request CEC to carry them out.
- Fire instructions to be prepared by the Clerk.

**RESOLVED:** (a) That the Clerk seek a quotation for installation of a fire alarm;

(b) That action 5.4.8 be included in the terms and conditions for hiring the hall, i.e. *Any person who is likely to take charge of a fire evacuation from the building should receive suitable instruction to ensure they are aware of their additional responsibilities;*

(c) That 5.4.11 be implemented immediately, i.e. *Comprehensive records of tests and services of all fire precautions and any fire occurrences;* and

(d) That the Clerk seek a quotation for a fire alarm.

### 310 PARISH COUNCIL REMOTE MEETINGS

It was reported that the Government had confirmed that legislation permitting remote meetings of local councils would not be extended in England beyond 7 May 2021; this would require primary legislation; however, guidance from the SLCC (Society of Local Council Clerks) and NALC (National Association of Local Councils 'strongly recommends' that Parish Councils continue to meet remotely while the regulations are in force.

The Clerk had contacted the SLCC to seek further guidance and this was awaited.

The following link accessed the NALC 'Coronavirus – Information for Local Councils' page and gave the details of what could and could not be undertaken.

<https://www.nalc.gov.uk/coronavirus#preparing-for-the-possible-return-of-face-to-face-meetings>

In view of these changes, the Parish Council was asked to consider what decisions could be taken at the May meeting to try to reduce the need for monthly physical meetings until later in the year, when the health situation may be clearer.

It was suggested that an increase in the Clerk's powers under the Scheme of Delegation would be appropriate to enable additional decisions to be taken without the need for a Parish Council meeting.

Information from the SLCC website was provided, and within the document there were links to the following:

- Letter from the Ministry of Housing, Communities and Local Government dated 25 March 2021.
- Government advice on the safe use of Council buildings.
- Government 'Call for Evidence' in respect of remote meetings of Councils.

SLCC had been working closely with the Ministry of Housing, Communities and Local Government (MHCLG) regarding the decision and a 'call for evidence' consultation had been triggered. This opened on 23 March 2021 and runs for 12 weeks. The intention is to understand the experience of remote meetings, following which, SLCC will submit a comprehensive response.

The document from SLCC had been sent to Clerks who were members but it was not clear if this was for SLCC members only to complete; there had been no suggestion that Clerks should take this to their parish councils.

A High Court decision in respect of holding remote meetings was due to be decided later in the week.

**AGREED: That this item be deferred for further discussion at the next meeting.**

### 311 CONSERVATION AREA – TALBOT WAY

The Clerk had now issued '*invitations to quote*' to a number of companies, the names of which had been provided by Councillor Andrea Jacobs.

In the meantime, the Clerk had contacted CES which now operated through Cheshire Wildlife Trust (CWT) to inform them that the quotation provided at the meeting in March 2021, had not been accepted.

CWT had subsequently provided advice as follows and had emphasised that when the Council sought other quotations, it would not be appropriate to let this contract to a grounds maintenance contractor whose work was mainly grass-cutting. The successful contractor should be working specifically under a Natural England Great Crested Newts Licence.

- The pond was in poor condition and before long it would become unsuitable for Great Crested Newts (GCN) and other amphibians to breed within, as the sediment builds and the water becomes more shallow and stagnant.
- The pond should be the priority for future habitat management, in terms of wildlife conservation (general amenity management should also continue).
- To restore the pond, it would require a mini-excavator to access the area to de-silt the pond either during the winter months (when GCN are less likely to be present in the pond) or in the summer months when the pond is dry or almost completely dry (by which point GCN will have left the pond and their larvae will have died).
- To achieve the above, the post and rail fence would need to be dropped and reinstated/replaced once the machine has left the site, or a 10ft gate installed.

The above proposal would involve investment beyond what has previously been committed to the site. For that reason, CWT advised that it would be prepared to take on the above pond restoration work (in addition to general management of other habitats) at no extra cost if there was a commitment from the Parish Council to appoint its services at the same annual rate for the following three years.

CWT had also advised that rather than retain all cuttings on site to create 'habitat piles', it would remove all old hedge and tree cuttings and replace with a purpose-built but discreet amphibian hibernacula (a shelter mound covered with turfs). This was to reflect the fact that the conservation area was within a formal setting and should appear tidy.

**RESOLVED:** (a) That no action was taken in respect of Cheshire Wildlife Trust's offer; and  
(b) That quotations be submitted to the May meeting.

## 312 FINANCIAL MATTERS

### 312.1 Receipts and Payments Statement

The Parish Council received a receipts and payments statement for the period 1 April 2020 to 31 January 2021.

The annual accounts for audit purposes have not yet been finalised. These would be submitted to the meeting to be held on 17 May 2021.

The bank reconciliation was noted:

	£	£
Brought forward	44,047.36	
ADD Receipts	56,856.00	100,904.79
LESS Payments	-22,592.96	<u>78,311.83</u>
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Gold Account	79,087.49	
Current Account	480.82	79,568.31
LESS Unpresented cheques	-1,256.48	<u>78,311.83</u>

### 312.2 Authorisation of Payments

**RESOLVED:** That the following payments be authorised:

£96.00	Crystal Clean South Cheshire (£80.00 net and £16.00 VAT)
£274.48	HM Revenue & Customs – tax on Clerk's salary.
£435.35	Andrew Shepherd – domain fee (due 25 May 2021) and £227.77 for hosting (due 29 June 2021). The prices include VAT.
£589.68	Trentham Fencing Ltd. (£491.40 net and £98.28 VAT)
£1,008.00	Cheshire Association of Local Councils – annual affiliation fee

### 313 INSURANCE RENEWAL

The Parish Council's insurance renewal was due on 1 June 2021. Came & Company, the brokers, sent pre-insurance information for consideration by the Council and the following documents had been considered at the March meeting.

- Copy email from Came & Company dated 8 March 2021.
- Pre-renewal invitation.
- Terms of Business Agreement
- Guide for Employers (new requirement)

Members queried the need for the Parish Council to seek a valuation on the Community Hall, on the basis that the building was not an insurable interest for the Parish Council.

Cheshire East Council had advised that it was on its own list of properties and insured for a re-build value of £478,000. The Property Services Manager had also stated that there was business interruption and contents insurance on top of that figure, and she further stated that the lease between CEC and the Parish Council required the cost of insurance to be recharged to the tenant.

The Clerk had requested an up-to-date copy of the lease and this was to be delivered through a secure email system.

### 314 PLANNING

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

21/1703N Land South of Peter de Stapleigh Way, Stapeley  
Full planning application for internal spine road to serve land to the South of Peter de Stapleigh Way.

**RESOLVED:** That the Parish Council express concern that this road, alone, had been singled out as requiring the submission of planning application No. 21/1703N.

21/1169N Haymoor Green Farm, Wybunbury Lane, Stapeley, CW5 7HH  
Proposed erection of one detached dwelling

During discussion of this application, Councillor Peter Groves undertook to call in the application to enable it to be determined by the Southern Planning Committee, rather than remain a delegated decision.

**RESOLVED:** That the following comments be submitted to Cheshire East Council in respect of planning application No. 21/1169N:

- The development does not fall within the category of in-fill.
- It is not in keeping with both the Local Plan and the Neighbourhood Plan.

20/2276N 78 Broad Lane, Stapeley, CW5 7QL  
Construction of new 3-bed detached dwelling and the conversion of existing 2-bed house to garage with office above, in the garden of 78 Broad Lane.

**RESOLVED:** That no comments be made on planning application No. 20/2276N.

21/2053N      34 London Road, Stapeley, CW5 7JL  
Proposed detached single garage to front of existing dwelling

**RESOLVED:** That the Parish Council submit the following comments in respect of planning application 21/2053N:

- The proposal in the application is not in keeping with the street scene.
- Garage access and egress for is inadequate.
- There are issues in respect of visibility and safety to other road users.
- Sight lines are inadequate.

### 315      **COMMUNITY GOVERNANCE REVIEW**

At its meeting held on 15 March 2021, the Parish Council received a copy of the Community Governance Review draft document which was considered by Cheshire East Council's (CEC) Community Governance Sub-Committee at its meeting held on 26 February 2021.

At its meeting held on 26 March 2021, the Constitution Committee (the Sub-Committee's parent Committee) was asked to approve the Sub-Committee's recommendation which was *That the draft proposals attached at Appendix B to this report be formally agreed for the purposes of consultation, and consulted-upon for a 12-week period.*

Borough Councillor David Marren proposed an amendment, which was carried, the effect of which was to require CEC to carry out a household referendum (not a referendum of individual electors) in those parishes where there was a proposed change of name for the parish and/or households would be transferred from one parish to another. Although this referendum was to be conducted by Cheshire East Council, it would be at the request of the appropriate Parish Council and the results of the referendum would be binding on Cheshire East Council.

There were some issues about the costs of referenda and the legality of binding CEC to the results. This matter had now been referred to full Council.

**DEFERRED to the next meeting.**

### 316      **WEBSITE – MONTHLY REVIEW**

**DEFERRED to the next meeting.**

### 317      **RISK MANAGEMENT STRATEGY**

Councillors Matthew Theobald and Andrea Jacobs to report in respect of an up-dated risk management strategy.

**DEFERRED to the next meeting.**

### 318      **NEWSLETTER**

First draft of the newsletter.

**DEFERRED to the next meeting.**

### 319      **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 transacted and the public interest would not be served in disclosing that information.

**320 COMMUNITY HALL – WRITE-OFF ACTION IN RESPECT OF DEBT**  
(Reason for exclusion: identification of individual)

The Parish Council discussed the situation in respect of a former client of the Community Hall. The debt owed was £336.00 and despite numerous attempts to recover the debt, it had not been forthcoming.

At the meeting held on 18 January 2021, the Parish Council, having received legal advice, agreed to pursue the debt through an online application under the small claims court scheme. Subsequent to that, information had been received about the personal circumstances of the debtor and these were now considered.

**RESOLVED:** (a) That the debt of £336.00 in respect of hire of the Community Hall be written off;

(b) That the reason for writing off the debt was that in view of the personal circumstances of the debtor, it was unlikely that any of the money could be reclaimed; and

(c) That to avoid a similar situation in the future, the Clerk be asked to issue invoices on a monthly basis.

**321 DATE OF NEXT MEETING**

In view of the guidance from NALC, as provided under Minute No. 310 above, it was **AGREED** that the Parish Council hold its Annual PARISH Meeting and Annual COUNCIL meeting, on Thursday, 17 May 2021.<sup>1</sup>

.....Chairman

The meeting commenced at 7.30 pm and concluded at 10.20 pm

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<sup>1</sup> This was subsequently re-arranged to 6 May 2021 in the light of Government advice in respect of regulations which required remote meetings to cease on 7 May 2021.