



STAPELEY & DISTRICT PARISH COUNCIL

Clerk: Carol Jones

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www.stapeleyparishcouncil.gov.uk

Parish Councillors are summoned to a

MEETING OF THE PARISH COUNCIL

DAY/DATE: MONDAY, 19 APRIL 2021

TIME: 7.30 PM

MEETING TO BE HELD REMOTELY, VIA VIDEO-LINK

PLATFORM: ZOOM

ACCESS DETAILS: Click the link below to join -

<https://us02web.zoom.us/j/81379614593>

Enquiries to: Clerk: Carol Jones

Phone: 01270 812065

Issue date: 14 April 2021

Signed *C M Jones*

To: Councillors M Theobald (Chairman), J Davenport, M Docker, S Ford, J Gibbs,
G Gwinn, P Groves, J Hillman, A Jacobs and K Nord

Copy: Borough Councillor A Martin

Notes for Members of the Public:

1. This meeting is being held remotely in accordance with regulations made under S.78 of the Coronavirus Act 2020. There are, therefore, no paper copies of the agenda or the accompanying documents.
2. All documents (other than those which are restricted) can be accessed from the Parish Council's website - www.stapeleyparishcouncil.gov.uk.
3. Members of the public are able to ask a question under the Public Question Time slot by accessing the agenda using the link above.

A G E N D A

1 APOLOGIES

Apologies for absence should be notified to the Clerk as soon as reasonably practicable but prior to the meeting.

2 DECLARATION 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.

3 MINUTES – 15 MARCH 2021

To approve as a correct record, the Minutes of the meeting held on 15 March 2021.

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4 PUBLIC QUESTION TIME

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

If it is not possible to respond at the meeting, a written response can be provided at a later date.

5 REPORT OF BOROUGH COUNCILLORS

Councillors Peter Groves and Andrew Martin to report in respect of Cheshire East Council matters of interest and to update Members about any parish matters.

6 COMMUNITY HALL

6.1 Re-opening

To review the situation in respect of the re-opening of the Community Hall.

If Members agree to a re-opening date, it would be helpful to set out the requirements to ensure that the building and the clients are safe, and to discuss what arrangements need to be put in place.

The following documents are enclosed to assist with the 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)

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The Clerk has emailed all clients to ask if they are wishing to return to the hall.

6.2 Lateral Flow Testing – Booking to take place during the Pandemic

The Operations and Logistics Manager at Cheshire East Council requests 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 have studied their Asymptomatic Test Site analysis and note 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.

The Parish Council is invited to consider this request, taking into account that in view of the regular activities (see item 6.1 above) this would require displacing some of the regular clients, who may choose other venues, and once the pandemic is over, are unlikely to return.

Councillor Hillman met the Officer on site at the Community Hall and may be able to provide further information.

6.3 Repair of Fencing

The invoice for the repair of the fencing is included in the schedule of payments to be authorised (Item 9.2). The cost is £589.68 (£491.40 net and £98.28 VAT).

6.4 Pedestrian Gate to be fitted in fencing adjacent to MUGA

At the last 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 has 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 may wish to balance this against the cost of repairs which have occurred over the years as a consequence of vandalism. The latest invoice is almost £500 net.

6.5 Replacement of internal lighting

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

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

If the Parish Council is minded to carry out a replacement of the lights, two other quotations would also be required.

Funding for this scheme would come from the £5,000 earmarked budget for maintenance and repairs.

6.6 Fire Risk Assessment

At the March meeting, a number of issues were raised during discussion of the Fire Risk Assessment. The list of actions and the current status of each will be provided in a schedule to be sent under separate cover.

To follow/
to be tabled

7 PARISH COUNCIL REMOTE MEETINGS

The Government has confirmed that legislation permitting remote meetings of local councils will 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 wording is not clear as it states that local councils should *continue to meet remotely while the regulations are in force*. The guidance below has been written to help local councils prepare for the scenario that remote council meetings cannot lawfully take place from 7 May 2021. This is equivocal and implies that it is possible that remote meetings can take place after 7 May 2021.

The Clerk has contacted SLCC to seek further guidance. Unfortunately, SLCC is also awaiting further guidance.

The following link accesses the NALC 'Coronavirus – Information for Local Councils' page and gives the details of what can and cannot 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 is asked to consider what decisions can 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 may also be helpful to increase the Scheme of Delegation to the Clerk to enable additional decisions to be taken without the need for a Parish Council meeting.

Enclosed is information from the SLCC website and within the document there are links to –

- 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.
- recommends that Councils.

SLCC has been working closely with the Ministry of Housing, Communities and Local Government (MHCLG) regarding the decision and a 'call for evidence' consultation has 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 has been sent to Clerks who are members but it has not been made clear if this is for SLCC members only to complete; there has been no suggestion that Clerks should take this to their parish councils.

Responses should include quantitative data such as –

- Cost saving to the Council
- Increase in attendance numbers at meetings.
- Reduction in Council's carbon footprint.
- Increase in numbers standing for election by making meetings more accessible.

8 CONSERVATION AREA – TALBOT WAY

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

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

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

- The pond is in poor condition and before long it will become unsuitable for Great Crested Newts 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 will 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 advises 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 has 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 is to reflect the fact that the conservation area is within a formal setting and should appear tidy.

9 FINANCIAL MATTERS

9.1 Receipts and Payments Statement

To receive an indicative receipts and payments statement for the period 1 April 2020 to 31 March 2021. To follow

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

9.2 Authorisation of Payments

£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

10 INSURANCE RENEWAL

The Parish Council's insurance renewal is due on 1 June 2021. Came & Company, the brokers, sent pre-insurance information for consideration by the Council and the following documents were 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 is not an insurable interest for the Parish Council. Cheshire East Council has advised that it is on its own list of properties and insured for a re-build value of

£478,000. The Property Services Manager has also stated that there is business interruption and contents insurance on top of that figure and she further states that the lease between CEC and the Parish Council requires the cost of insurance to be recharged to the tenant.

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

11 PLANNING

The Parish Council is invited to comment on the following planning applications. If it is expected that there will be significant observations, please ensure that these are sent to the Clerk prior to the meeting. This will enable the Clerk to prepare an accurate record. Such observations will be read out at the meeting, in the interests of transparency.

The applications can be viewed online at planning@cheshireeast.gov.uk.

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.

Deadline date for comments: 5 May 2021

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

Deadline date for comments: 21 April 2021

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.

Deadline date for comments: 4 May 2021

12 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 is to be conducted by Cheshire East Council, it will be at the request of the appropriate Parish Council and the results of the referendum will be binding on Cheshire East Council.

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

13 WEBSITE – MONTHLY REVIEW

The Website Group is asked to report on its review of the website.

14 RISK MANAGEMENT STRATEGY

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

15 NEWSLETTER

To consider the first draft of the newsletter.

To follow

16 EXCLUSION OF PRESS AND PUBLIC

The Council is invited to RESOLVE 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 transacted and the public interest would not be served in disclosing that information.

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

To consider write-off action in respect of a debt owed for hire of the community hall.

18 DATE OF NEXT MEETING

In view of the guidance from NALC, as provided in agenda item 7 above, the Parish Council is asked to hold both its Annual PARISH Meeting and Annual Council meeting, on Thursday, 6 May 2021.

Material Planning Grounds on which to object to Planning Applications

Relevant Matters

1	Development Plan in all its aspects	13	Appropriateness of use taking account
2	Government legislation and guidance (PPG)	14	of local area
3	Siting	15	Effect on highway safety and parking
4	Design, appearance and materials	16	Adequacy of parking/loading/turning
5	Visual amenity (but not loss of private view)	17	Landscaping
6	External appearance	18	Listed buildings
7	Compatibility with street-scene	19	Conservation areas
8	Loss of light or overshadowing	20	Layout and density of building
9	Loss of privacy	21	Hazardous materials
10	Nature conservation	22	Highway safety, traffic generation, road access.
11	Development effect on neighbouring properties, amenities and privacy	23	Local, strategic, regional and national planning policies (eg Neighbourhood Plan)
12	Land contamination Flooding		

Non-Relevant Matters

1	Matters controlled by other legislation	8	Business competition
2	Effects on private rights	9	Personal circumstances – health/finance
3	Provisions in covenants/deeds	10	Ownership
4	Applicant's personal conduct	11	Applicant's motives

Non-Relevant Matters

- | | | | |
|---|--|----|---------------------------------|
| 5 | Loss of a view | 12 | Boundary disputes |
| 6 | Effect on property values | 13 | Moral issues |
| 7 | Private opinions | 14 | Private covenants or agreements |
| 7 | Disruption during any construction phase | 15 | Capacity of private drains |