



STAPELEY & DISTRICT PARISH COUNCIL

Clerk: Carol Jones

Tel: 01270 812065 e-mail: carol.jones@stapeleyparishcouncil.gov.uk

www.stapeleyparishcouncil.gov.uk

Parish Councillors are summoned to a MEETING OF THE PARISH COUNCIL

DAY/DATE: MONDAY, 19 JULY 2021

TIME: 7.30 PM

VENUE: **STAPELEY COMMUNITY HALL,
PEAR TREE FIELD, CW5 7GW**

Enquiries to: Clerk: Carol Jones

Phone: 01270 812065
OR 07498 160 908

Issue date: 14 July 2021

Signed

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

Please note that this is a face-to-face meeting and the number of attendees is limited owing to Covid-19 guidance, especially in view of the recent increase in cases.

Members of the public wishing to ask a question or make a statement under the Public Question Time slot, are asked to submit them in writing to the Clerk (clerk@stapeleyparishcouncil.gov.uk) by 3.00 pm on 19 July 2021. These will be read out at the meeting and written responses will be provided.

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.

Councillors J Davenport and A Jacobs

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

3.1 APPROVAL OF THE MINUTES

- Ordinary meeting held on 21 June 2021
- Extra-ordinary meeting held on 5 July 2021.

cb
cb

3.2 UPDATE ON MATTERS RAISED ON 21 JUNE 2021

- **Conservation Area – Talbot Way**

Although the Clerk expected to be able to send reminders to the companies which had previously been invited to quote for the work at Talbot Way, with a deadline date of 14 July 2021, she has been unable to do so. The matter will, therefore, be scheduled for consideration at the September 2021 meeting.

- **Repairs to Disabled Toilet – Community Hall**

The plumber has been asked to inspect and repair as appropriate. This is likely to have been undertaken week commencing 12 July 2021.

- **Pedestrian Gate to be Fitted in Fencing Adjacent to MUGA**

Councillor Gibbs has provided the names of two alternative contractors for the fitting of a pedestrian gate. Quotations have been sought and the Parish Council will be able to consider these at the September 2021 meeting.

4 PUBLIC QUESTION TIME

Members of the public are able to ask a question of the Parish Council or make a statement. These should be submitted in writing to the Clerk by 3.00 pm on 19 July 2021.

5 REPORT OF BOROUGH COUNCILLORS

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

In view of the Covid-19 restrictions, Councillor Andrew Martin has agreed that Councillor Groves can update the Parish Council in respect of Cheshire East Council matters. In the event of Councillor Groves being unable to attend the meeting, Councillor Martin will be able to report, subject to his own availability.

6 COMMUNITY HALL – RE-OPENING

6.1 Re-opening

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

The notes of the Working Group have previously been circulated to Members and a further copy was provided at the meeting held on 21 June 2021.

The Parish Council is asked to consider the following specific issues:

Enclosed are the following documents, some of which have previously been issued but are enclosed for ease of reference. db

- Covid Risk Assessment
- Covid Weekly Check List
- Covid Safety Memo
- CEC Members' Briefing

(A) EXCLUSION OF PRESS AND PUBLIC¹

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.

6.2 Questionnaire

(Reason for exclusion: likely to reveal the business details of an individual)

As previously reported, the Clerk issued individual emails to regular clients to enquire if they wished to re-commence their bookings. The only client who wishes to use the hall from the date of its opening, is Jo Smith (dancing activities). Other clients have indicated that September 2021 would be the earliest that they would wish to re-commence their activities.

At the last meeting, the Parish Council considered the risk assessment provided by Jo Smith, and commented that it did not specifically address the Parish Council's Covid risk assessment. She has been asked to provide evidence that she can comply with the Parish Council's requirements.

In the meantime, she has sent a completed questionnaire, and this is now enclosed. Unfortunately, she has not ticked the box to indicate that she agrees to the Council holding her data. This has been sent back to her for confirmation. db

(B) RE-ADMITTANCE OF PRESS AND PUBLIC

The Parish Council is asked to re-admit members of the press and public to the meeting.

7 LITTER-BIN FOR LAND AT TALBOT WAY

At the June meeting, the Parish Council agreed that a litter-bin be purchased, to be located in the lawned area on Talbot Way. This was in response to a complaint from a resident, about littering in this particular location.

The Clerk contacted ANSA for a quotation. The cost of a bin and installation is £242.76 plus VAT. As the bin is to be placed on land which is private land, (ie the Parish Council owns it) there will be a charge of £11.49 plus VAT for each litter-emptying occasion. The bin would probably need to be emptied weekly and this would be an annual cost of approximately £575 per annum.

¹ See last page for explanation of the regulations in respect of exclusion of press and public..

8 FINANCIAL MATTERS

8.1 Authorisation of Payments

The Parish Council is asked to authorise the following payments:

£297.36	JDH Business Services – Audit of the accounts – 2020-2021 (£247.80 net and £49.56 VAT)
£96.00	Crystal Clean South Cheshire Ltd. – reduced cleaning at the Community Hall (£80.00 net and £16.00 VAT)
£39.60	Shires Accountants - Payroll services
£780.00	Scribe – accountancy software (£584.00 net and £116.80 VAT)
£tba	HMRC – tax on Clerk’s salary – There is currently no outstanding amount but payment may be required before the September meeting.
£tba	Andy Nuttall Plumbing – repair to disabled toilet

8.2 The Parish Council is asked to note the following payment.

£137.72	Scottish Power – unmetered electricity for street lighting (£136.21 net and £6.56 VAT) – Payment collected by direct debit.
---------	--

8.3 Switch to Digital Banking

The Clerk has been in contact with the Royal Bank of Scotland to enquire into digital banking to enable payments to be made by BACS.

Enquiries so far indicate that there is no ability for ‘two to sign’ using digital banking and this may be a problem for the auditor as it does not protect the Council from potential fraud. The Clerk will make further enquiries and report to the September 2021 meeting. db

9 RISK MANAGEMENT STRATEGY

The Clerk has up-dated the Risk Management Strategy, to take into account the need to acknowledge compliance with GDPR. This was already included in the previous document, but the Clerk has added a note to reflect the fact that the Parish Council approved policies in May 2018. db

Item 3 (Assets) has been up-dated to include previously excluded assets. The Parish Council is asked to consider how to manage the risk.

Enclosed is a cyber-security checklist which the Council may wish to consider at a future meeting.

10 WEBSITE

10.1 Website Contract

At the meeting held on 21 June 2021, it was agreed that Andrew Shepherd’s contract, which was due for renewal, be held in abeyance, and that he paid on a monthly basis, for the time being, to allow a technical specification to be drawn up to ensure compliance with the WCAG requirements.

The Parish Council is asked to consider how to proceed with the drawing up of a technical specification for a new website.

10.2 Working Group Report

The Working Group to report on its review of the contents of the website.

11 PARISH COUNCIL PROJECTS

(a) Victorian Orchard; and (b) Land adjacent Clarendon Court

The Parish Council is asked to consider how progress can be made on projects which are listed in the budget for 2021-2022. The two key projects are the Victorian Orchard and the Pond adjacent to Clarendon Court.

It is suggested that a small working group of Members be established to carry out detailed work on how to make progress within the current financial year, reporting to the September meeting with initial findings.

Councillor Gibbs has scanned the documents from Hall Smith Whittingham and emailed them to all Members.

12 STREET LIGHTING

Members will be aware that the 18 street lights formerly owned by the Parish Council, were replaced in 2018 during the CEC upgrade of street lighting throughout the parish. It was expected that CEC/CEH would take over full responsibility for ownership and for future maintenance and replacement. It has been difficult to establish this definitively partly because of staff changes and those involved in the original enquiry no longer work for the authority.

The Clerk has recently received an email from the new Team Leader (CEH Street Lighting) who is now reviewing this and there may be a response available at the meeting.

For the benefit of newer Members, the following is the list of street light locations prior to the upgrade.

5 x 50 son	London Road (A51)
1 x 70 son	London Road/Second Dig Lane
1 x 50 son	Newcastle Road
7 x 50 son	Audlem Road/Broad Lane (A529)
1 x 70 son	Broad Lane (opposite school)
1 x BV2600 2 x 24 watt PL and photocell	London Road – opposite Deadman's Lane
1	Audlem Road/Broad Lane at junction with First Dig Lane
1 other but location not clear	

13 PLANNING

Members are asked to provide, to the Clerk, at least 24 hours before the meeting, any significant observations they wish to make on the planning application. This will enable an accurate record to be made of any objections made.

21/3370N 152 London Road, Stapeley, CW5 7JN
Variation of condition 2 (approved plans) to planning application
20/5447N –
Proposed first floor extension to include new roof and dormer, single
Storey rear extension and alterations to sides.

Deadline date for observations: 22 July 2021

14 NEWSLETTER

The latest draft of the newsletter was submitted with the agenda for the meeting held on 21 June 2021 at which time it was agreed not to publish until the situation in respect of the Community Hall was clearer, with a view to issuing it in late July/early August.

15 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.

The following details have been omitted from the public agenda which only includes a brief synopsis.

16 TRIMMING OF HEDGING ON PUBLIC RIGHT OF WAY

(Reason for exclusion: Likely to reveal the identity of an individual)

Cheshire East Council's Network Management & Enforcement Officer (NMEO) has contacted the Clerk to ask if the Parish Council can assist in a matter.

17 DATE OF NEXT MEETING

20 September 2021

EXCLUSION OF PRESS AND PUBLIC

In principle, the public (which includes the press and Ward Councillors) is entitled to be present at all meetings of the Council and its committees, and ought to be admitted to sub-committees. The Council or a committee, however, may exclude the public for a particular item of business, if it is reasonably of the opinion that such exclusion is in the public interest. Under the Public Bodies (Admission to Meetings) Act 1960, the Parish Council has broader powers than the Borough Council to exclude members of the press and public on the grounds that the matter(s) to be discussed are of a confidential and special nature and the public interest would not be served in disclosing that information. Business is “confidential” if its discussion must be kept secret; if it is “special” the reasons for secrecy must be stated in any case where the need for secrecy is not obvious; for example, where matters are of a sensitive nature which might contravene the provisions of the Data Protection Act 2018.

Where the public and press have been excluded, the decisions made in the closed session must be minuted and a record should be kept of who was present at the session, if different from those who were present throughout the meeting. It is good practice to record when Members either join or withdraw from a meeting.

There are occasions when it is necessary for individuals other than Members or the Clerk to remain in a meeting when the public and press have been excluded. This depends on the role of the individuals concerned; for example, if they have been invited to the meeting to offer technical or professional advice to Members; however, even in these circumstances, caution needs to be exercised as it would be difficult to hold such individuals to account if they subsequently divulged what was discussed at the meeting.

In the case of other individuals who simply have some background knowledge of the issue, it would be difficult to argue that they should be treated any differently from any other member of the public for the purposes of exclusion. As an example, Ward Councillors will sometimes have knowledge that other members of the public might not have, but whilst they make a valuable contribution to Parish Council meetings, in legal terms they are members of the public.

It is important for Members not to allow themselves to get into a position where they are selecting who should remain in the meeting; this could lead to an abuse of procedure and bring the Parish Council into disrepute. It would also enable accusations to be made that some individuals were allowed to exercise undue influence.