



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, 20 SEPTEMBER 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: 15 September 2021

Signed

To: Councillors M Theobald (Chairman), 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 (carol.jones@stapeleyparishcouncil.gov.uk) by noon on 17 September 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 M Docker, A Jacobs and P Groves.

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 – 19 JULY 2021

To approve as a correct record, the Minutes of the meeting held on 19 July 2021.

cb

4 PUBLIC QUESTION TIME (Period not exceeding 20 minutes)

In accordance with the Parish Council's Standing Orders, members of the public are able to ask a question of the Parish Council or make a statement.

In view of Covid restrictions which limits the number of persons permitted in the Community Hall, these should be submitted in writing to the Clerk by noon on 17 September 2021. These will be read out at the meeting, and the questioner will be provided with a response after the meeting.

A resident has submitted a statement which is enclosed for Members only to avoid identification of the individual.

5 MANAGEMENT OF CONSERVATION AREA, TALBOT WAY

Decision required: No decision. This is for information only.

The Clerk has been in contact with Dr Martin Page who is director of Cheshire Ecology. This is one of the companies which the Clerk contacted for a quotation for work to be undertaken at the conservation area on Talbot Way.

cb

Cheshire Ecology is a consultancy and would not be able to undertake the work itself but would oversee the work and manage any contractor appointed.

Dr Page would like to attend this meeting to offer advice before the Parish Council pursues this matter further. In the meantime, he has provided the Ecology report which was commissioned by Muller Homes in 2012. Page 34 of the Ecology report shows the distribution of ponds in the immediate area and demonstrates that several of the ponds near Talbot Way are Great Crested Newt ponds (position in 2012). The document is 48 pages and will be issued under separate cover.

Members are reminded that each company was given the following brief:

Given that Great Crested Newts are known to be associated with the conservation area, it is important that the successful contractor and its operators will be working specifically in accordance with the terms and conditions of a Natural England class licence for Great Crested Newts.

The work required is as follows:

- Trim grassed areas and control hedge at front edge.
- Trim hedge three times a year and remove waste.
- Trim back trees and rear shrubs once a year.

The current state of the site is as follows

- The pond is in poor condition and will soon become unsuitable for Great Crested Newts and other amphibians to breed within, as the sediment will build and the water will become 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).
- The pond requires restoration and the successful contractor is asked to advise on the best course of action.

Although this was the position when the invitation to quote was issued, Dr Page has now inspected the site and provided a copy of a late 19th Century OS map of the area which indicates that they all used to be connected to the surface field drains. When the site was developed, the drains were filled in and as a result, the ponds are no longer topped up with rainwater.

The original ponds are CF1, CF2, CF3, CF4, CF8 and CF9 (as shown on the report referenced above). The water table is now too low for them to hold water and unfortunately, the only solution is to install pond liners.

6 CASUAL VACANCY

To report that John Davenport resigned as a parish councillor on 13 September 2021.

Cheshire East Council has been notified of the vacancy, and the notice will be displayed in the Parish notice-board and on-line. This vacancy is in the Batherton parish.

If no electors call a by-election, the Parish Council will be able to co-opt to the vacancy.

7 REPORT OF BOROUGH COUNCILLORS

Neither of the Borough Councillors will be present at the meeting.

8 COMMUNITY HALL – RE-OPENING

8.1 Re-opening

Decision required: The Parish Council to confirm the opening date for the Community Hall.

To review the situation in respect of the re-opening of the Community Hall. The Working Group (Councillors M Docker, S Ford, J Gibbs, J Hillman and A Jacobs) to report.

The only regular client to re-commence activities, is the Scouts (Cubs and Beavers). A new client, Bizzytots, will commence activities on 20 September 2021, subject to acceptance of its risk assessment. A copy of the confirmed regular bookings is enclosed. db

The hire agreement has been revised to include a Covid addendum. The Group has not addressed the issue of setting the limit on the number of persons permitted in the hall; the Clerk has, therefore, set the limit at 40, but the Parish Council may wish to revise this.

8.2 Risk Assessments for Casual Clients and Regular Clients

Decision Required: To review the requirement for risk assessments for one-off events.

The Parish Council is asked to consider waiving the requirement for risk assessments to be prepared for both one-off events and all regular clients. In these circumstances, each client, having received a copy of the Risk Assessment (R/A), and the hire agreement which includes the Covid addendum, they would be asked to confirm that they would comply with the Council's R/A.

Although the Clerk has received enquiries about one-off bookings, two clients have cancelled owing to the requirement for them to prepare an R/A.

9 PLANNING

9.1 Planning Application

The Parish Council is asked to comment on the following planning application by 24 September 2021.

21/4331N 2 Foxtail Road, Stapeley, CW5 7TA
Proposed single-storey extension.

9.2 Consultation Document: Draft Sustainable Urban Drainage Systems Supplementary Planning Document (SuDS SPD)

Decision Required: To submit comments to Cheshire East Council by midnight on 20 September 2021.

Members are asked to provide to the Clerk, at least 24 hours before the meeting, any significant observations they wish to make on this consultation document. These should also be copied to other councillors. The deadline date for comments is midnight on 20 September 2021.

The draft SuDS SPD has been published for consultation purposes and provides further guidance on how applicants can integrate sustainable urban drainage systems in their proposals.

This is the first stage of consultation on the SPD which, once adopted, will be a material consideration in decision-taking.

The documentation can be accessed from Cheshire East Council's website using the link below.

<https://cheshireeast-consult.objective.co.uk/portal/planning/spd/>

10 FINANCIAL MATTERS

10.1 Ratification of Payments

The Parish Council is asked to ratify the following payments which have already been made:

£432.00	Johnsons of Nantwich – design and printing of the newsletter.
£213.00	The Leaflet Team – delivery of the Parish Newsletter.
£150.60	C M Jones – reimbursement for payment to Holdfast Security Systems For supply of 12 new keys for the Community Hall (£125.50 net and £25.10 VAT) [Invoice will be available for inspection at the meeting]
£75.00	C M Jones – reimbursement for payment to Cheshire Association of Local Councils. [Invoice will be available for inspection at the meeting] Planning training for Councillors A Jacobs, J Gibbs and M Theobald
£25.00	C M Jones – reimbursement for payment to Cheshire Association of Local Councils [Invoice will be available for inspection at the meeting] Induction training for Councillor J Gibbs.
£12.00	C M Jones – reimbursement for new keys for notice-board. [Invoice will be available for inspection at the meeting]
£41.40	C M Jones – reimbursement for settlement of Invoice 07181 for Shires Payroll – payroll service (£34.50 net and £6.90 VAT) [Invoice will be available for inspection at the meeting]

10.2 Authorisation of Payments

The Parish Council is asked to authorise the following payments.

£250.00	Councillor M Theobald – Chair’s allowance for 2021-22. (The allowance for 2020-21 was paid in July 2021.)
£567.98	HM Revenue & Customs – tax on Clerk’s salary. For the months of August and September 2021

10.3 Switch to Digital Banking

Decision Required: The Parish Council is asked to decide (a) if it wishes to switch to digital banking with Royal Bank of Scotland; and (b) if so, to decide on the number and the names of Members who can be authorised to view the accounts on-line.

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

The first stage would be to refresh the bank mandate. At present, the only remaining bank signatories are Councillors Mike Docker, Peter Groves and Keith Nord. The Parish Council is asked to authorise and identify named signatories.

The switch to digital banking can provide access to as many Members as the Parish Council considers appropriate, but it is suggested that this be no more than five. Each authorised Member must be added as a signatory on the bank mandate form.

Following this, each authorised signatory will need to register by accessing the form on-line and will be required to sign it; this will be a digitally-secure signature, and is legally binding.

When the bank has approved the arrangements, each authorised councillor will be provided with their own ID, an activation code and will then be able to create their own PIN and password to access the accounts. This will be ‘view only’ access.

10.4 Accounts – 2020-21 – External Audit

Although the official report of the External Auditor (PKF Littlejohn) has not yet been provided, the Clerk has received an email that the auditor assigned to review the accounts will be raising an ‘*except for*’ matter (qualification) which is subject to review and sign-off by an engagement lead.

This is on the basis that *the smaller authority failed to approve the AGAR in time to publish it before 1 July 2021, the date required by the Accounts and Audit Regulations 2021 and did not disclose this by answering ‘No’ to Section 1, Box 1.*

The accounts were approved on 5 July 2021.

10.5 Accounts – 2020-21 – Internal Audit

One of the issues raised by the Internal Auditor was the lack of some invoices to enable him to verify the expenditure. These invoices may or may not be required by the Auditor in 2021-22 as evidence that this issue has been addressed; however, it will be useful to record in the minutes that the missing invoices were submitted.

Invoices missing were for February and March 2021 as follows. Copy invoices will be issued under separate cover.

<u>Company</u>	<u>Payment £</u>	<u>Company</u>	<u>Payment £</u>
Vodafone	27.67	Shires Payroll	41.40
Vodafone	27.67	CES Ecology	2,280.00

<u>Company</u>	<u>Payment £</u>	<u>Company</u>	<u>Payment £</u>
Jof's Mowing	625.00	West Mercia Energy	71.03
Jof's Mowing	270.00	West Mercia Energy	57.98
Greenzone	32.12	Vodafone	27.67
Dame Hygiene	635.30	C Jones – Zoom fee	143.88
Armstrong Fire	250.00	Shires Payroll	41.40

10.6.1 To receive the following financial documents:

- Receipts and payments statement for the period 1 April 2021 – 18 August 2021 (the cut-off date relates to the date of the last bank statement received).
- Budget monitoring statement.

To follow

10.6.2 Budget – 2022-2023

The Clerk proposes submitting a first draft of the budget for 2022-23 to the October 2021 meeting.

10.7 Scheme of Members' Expenses

Decision Required: To consider renewing the Scheme of Expenses.

At a recent meeting, Members raised the issue of renewing the Scheme of Members' Expenses. The last scheme was approved in November 2021 and remained in force for 4 years, but was not renewed.

A copy of that scheme is now enclosed, and the Parish Council is asked to consider renewing it.

cb

11 WEBSITE – SPECIFICATION FOR ENHANCEMENT OF THE CURRENT WEBSITE

Decision Required: To approve the proposed 'Request for Quotations' to be issued to prospective providers of the service.

The Working Group (Councillors M Theobald, M Docker and J Hillman) has prepared the enclosed 'Request for Quotations' document for consideration and approval, to enable it to be issued to prospective providers of the service.

cb

Also enclosed are two documents: (1) NALC Website Accessibility Requirements; and (2) the Parish Council's Website Accessibility Statement.

12 PROJECTS

(A) POND ADJACENT TO CLARENDON COURT

(B) VICTORIAN ORCHARD

Decision Required: To consider the Working Group's recommendations.

The report of Councillor J Gibbs, on behalf of the Working Group (Councillors J Gibbs, J Hillman and A Jacobs) is enclosed. This sets out progress in formulating a draft plan to enable progress to be made.

cb

The Working Group recommends that efforts this year be concentrated on the Victorian Orchard.

13 STREET LIGHTING

Decision required: No decision required. This is an information item.

Members will be aware that the 18 street-lights owned by the Parish Council were replaced in 2018 during the CEC upgrade of street lighting throughout the parish. It was expected that Cheshire East Highways would take over full responsibility for ownership and for future maintenance and replacement.

The position has yet to be clarified and Clerk has been in discussion with the CEH Lighting Team, but 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's report is enclosed.

cb

14 **COMMUNITY GOVERNANCE REVIEW**

Decision required: To submit observations on the proposals by 28 November 2021.

Cheshire East Council is holding a 12-week consultation on proposals for the governance arrangements for town and parish councils in the borough. The consultation started **on 6 September 2021 and will conclude at midnight on 28 November 2021**.

This is part of a borough-wide review and will consider a range of issues, including town and parish boundaries, number of town and parish councillors, grouping of parishes and warding.

The draft recommendations can be found using this link. [Community Governance Review draft recommendations report](#) makes a series of proposals, and maps showing proposed changes can be found via [this link](#).

On 6 September 2021, the Clerk forwarded to Members PowerPoint presentation slides prepared jointly by CEC and ChALC.

Members will recall that the Parish Council submitted comments on the draft proposal issued in January 2020 (Minute 120). It is suggested that the Parish Council consider this matter at either its October or November 2021 meeting. Borough Councillor Andrew Martin is a Member of the Constitution Committee which is the parent Committee overseeing this process, and will be able to offer advice or provide additional information at the October or November meeting.

Members are reminded of the comments submitted to Cheshire East Council in January 2020.

- The Parish Council is representative of the area of Stapeley which comprises the former rural area with a more urban area of 1,000 houses.
- The Council has made great strides to integrate both parts of the community and this has been successful with the parish having its own identity. During canvassing for the elections in May and December 2019, Borough Councillors noted that the experience 'on the doorstep' was that residents wished to remain as part of the Stapeley & District parish. They were adamant that they should remain part of what they perceive as a village and do not wish to become part of the Nantwich Town Council area.
- The Neighbourhood Plan, which was adopted over two years ago, shows the aspirations of the whole parish and this bears out the view that residents wish to remain within Stapeley and Batherton.
- The parish councillors come from both the urban and rural parts of the parish area.
- The community hall is a local hub, has a diverse range of activities and is well-used by residents in all parts of the parish.
- There have been several community events in the hall, to try to bring together all residents, and these have proved to be very popular.
- The Parish Council is pro-active and produces regular newsletters which are distributed to each household in the parish.
- The Council meets 12 times a year and residents are encouraged to attend meetings to ask questions under the Public Question Time slot.

15 **RESIDENTS' CORRESPONDENCE** **INFORMATION ITEM ONLY**

To report that the following issues have been raised by residents:

➤ **Blocked access from London Road onto Flowerscroft**

A resident submitted a complaint about blocked access from London Road to Flowerscroft. This blockage was by means of a gate fixed to existing brick piers, and the gate is locked.

For many years, pedestrians have been able to gain access through this opening, prior to it being gated. There is a further (ungated) access to Flowerscroft a few metres away, so there has been no detriment to pedestrians.

Enquiries were made by Councillor Peter Groves through the Planning Enforcement Team at Cheshire East Council, and its view is –

- The gate which has been installed replicates the design of the gates located just to its left-hand side. In planning terms, from a visual point of view Planning Enforcement does not consider that it would be expedient to take enforcement action in relation to it. Although it could be argued that the installation is an alteration to an existing means of enclosure and therefore benefits from permitted development rights under Part 2 Minor Operations of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- A check of District Land Registry reveals that the land upon which the gates have been erected, along with part of the footway, is in the ownership of No. 22 Flowerscroft. If any person believes that they have a right of access over this land they would have to pursue their own civil action which is outside the jurisdiction of the Local Planning Authority. It would appear that the title to each property on this part of Flowerscroft includes part of the footway and parking area.
- The conclusion is that there is no action available to the Local Planning Authority in respect of the installation of this gate.

➤ **Complaint from resident on Stapeley Gardens about over-flowing litter-bins on the development**

Following a complaint from a resident about over-flowing litter-bins on Stapeley Gardens, the Clerk made enquiries and the resident was informed that this is not the responsibility of ANSA. It is for David Wilson Homes itself to manage.

The Clerk informed the resident that he could contact the managing agent himself, or if he wished, the Clerk would take up the matter on behalf of the residents if he provided contact details.

This matter has now been resolved by David Wilson Homes.

➤ **Disruption by Contractor – Clonnersfield**

A resident has already submitted a statement which will be dealt with under the Public Question Time slot above.

➤ **Overgrown hedging adjacent to Maylands Farm**

A Member, on behalf of a resident on Broad Lane has complained about overgrown hedging outside Maylands Farm. The resident has some access difficulties and as there is no footway on her side of Broad Lane, she needs to use the footway on the Maylands Farm side.

The Clerk has now contacted the person who rents the land and he has agreed to cut back the hedges at the earliest opportunity.

➤ **Social Media comments**

Councillor Hillman to report in respect of complaints on social media about the unkempt appearance of the parish.

➤ **Business Activity at Talbot Way**

A resident has complained that there appears to be a business being conducted from a house on Talbot Way. This is causing inconvenience to the householder as it has prevented her from entering and exiting her house. The Clerk has reported this to Planning Enforcement, which will carry out an investigation and expects to be able to report towards the end of September.

16 OUTSTANDING MATTERS

- Responsibility for the gas supply at the Community Hall.
- Quotations for single-leaf pedestrian gate for Community Hall fencing.
- Fire action plan at Community Hall.
 - Fire door to be re-hung
 - Ramp from one of the fire doors to allow wheelchair access.
 - Quotation for fire alarm.
 - Signage: i.e. (a) Assembly point and (b) CCTV in operation.

17 DATE OF NEXT MEETING

18 October 2021