NOTICE OF AN EXTRA-ORDINARY MEETING OF THE PARISH COUNCIL

Parish Councillors are summoned to a meeting to be held on:

**DATE:** TUESDAY, 22 JANUARY 2013
**TIME:** 7.30 PM
**VENUE:** BROAD LANE METHODIST CHAPEL
AUDLEM ROAD, NANTWICH

Date of issue: 12 January 2013
Enquiries to: Clerk: Carol Jones Tel: 01270 812065
Signed

To: Members of the Parish Council
Councillors Shaun Clough, John Davenport, Mike Docker, Sandy Gwinn-Freemantle (Chairman), Peter Groves, Maxine Galt, Jo Hillman, Martin Malbon, Keith Nord and Raj Samra (Vice-Chairman)

Copies: Borough Councillor Andrew Martin (Nantwich South and Stapeley)

**Note:** Members of the public are asked to print their own copy of the agenda from the website. Members of the public without access to the Internet are asked to contact the Clerk by no later than noon on the day of the meeting to ensure that sufficient spare copies of the agenda are available.

(See overleaf for other notes for members of the public.)
NOTES

1 PUBLIC SPEAKING PROTOCOL:

This Parish Council meets and makes its decisions in public. A Parish Council meeting is not a public meeting. It is a meeting held in public and there is no requirement in law which allows members of the public to speak at such meetings. However, the Council is pleased to offer this opportunity to local registered electors to show that it is committed to community engagement.

Please respect the fact that this is a meeting to conduct Parish Council business and interruptions during the meeting are not permitted. If the business is disrupted in any way, the person(s) causing the disruption may be asked to leave.

- Public question time will be for a period of 10 minutes. Any member of the public wishing to speak should notify the Clerk prior to the start of the meeting. As a courtesy, it would be appreciated if 24 hours’ notice could be provided.
- The agenda stipulates that public question time will take place following approval of the Minutes and discussion of any Matters Arising. There is a second Public Question Time slot towards the end of the meeting. The period of Public Question Time can be extended at the discretion of the Chairman.
- Members of the public are permitted to ask questions in respect of items on the agenda or any other business of the Parish Council. Questions asked at previous meetings should not be raised within a 6-month period.
- The matter may be addressed immediately: the Chairman or the Clerk will respond to questions. If it is not possible to give a response, a written response can be provided, if appropriate.
- Supplementary questions or comments are only permitted at the sole discretion of the Chairman.
- Members of the public are also able to “address” the Parish Council, ie make a statement, which should also relate to the business of the Parish Council.
- If more than one speaker wishes to speak on the same agenda item, the Chairman shall have discretion to disregard any questions or comments if they are a repetition of those of a previous speaker.
- It is not a good use of the Parish Council’s time for members of the public to raise issues about hedges, street lights, pot-holes and so forth during public question time. Such matters should be reported direct to the Borough Council either by phone or using its on-line system of reporting faults. Alternatively, please contact the Clerk who can take action, or report matters as appropriate.

A) Notice of items

The Parish Council cannot lawfully decide any matter which has not been specifically included on the agenda, and there is case law to this effect (Longfield Parish Council v Wright (1918) 88 LJ Ch 119).

There is no such thing in law as “urgent business” and if any matter is truly urgent because it must be dealt with before the next meeting, a special meeting should be arranged unless there are delegation arrangements in place to allow the Clerk to take certain decisions, in consultation with the Chairman. (S.101(1) Local Government Act 1972).

B) Exclusion of Press and Public - General Note on Exclusion:

It is sometimes 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. 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.

2 MEETINGS:

2.1 When the meeting is held at Broad Lane Methodist Chapel, car parking is available at the rear of the Chapel. Alternatively, you can park in front of the Chapel on Audlem Road. On occasions, members of the press and public will be excluded from the meeting when the business to be transacted is of a confidential nature; for example, matters likely to reveal the identity of an individual, contracts and financial affairs of other parties.

2.3 Planning Grounds (Material Considerations) The grounds on which comments can be made on planning applications are as follows –

<table>
<thead>
<tr>
<th>Grounds</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Plan in all its aspects</td>
<td>8</td>
</tr>
<tr>
<td>Government legislation and guidance (PPG)</td>
<td>2</td>
</tr>
<tr>
<td>Siting</td>
<td>3</td>
</tr>
<tr>
<td>Design</td>
<td>4</td>
</tr>
<tr>
<td>External appearance</td>
<td>5</td>
</tr>
<tr>
<td>Compatibility with street-scene</td>
<td>6</td>
</tr>
<tr>
<td>Development affect on neighbouring properties, amenities and privacy</td>
<td>7</td>
</tr>
</tbody>
</table>

8 Appropriateness of use taking account of local area
9 Effect on highway safety and parking
10 Landscape
11 Listed buildings
12 Conservation areas
13 Land contamination
14 Flooding

Non-Relevant Matters

<table>
<thead>
<tr>
<th>Grounds</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Matters controlled by other legislation</td>
<td>1</td>
</tr>
<tr>
<td>Effects on private rights</td>
<td>2</td>
</tr>
<tr>
<td>Provisions in covenants/deeds</td>
<td>3</td>
</tr>
<tr>
<td>Effect on property values</td>
<td>4</td>
</tr>
<tr>
<td>Private opinions</td>
<td>5</td>
</tr>
</tbody>
</table>

6 Business competition
7 Personal circumstances – health/finance
8 Ownership
9 Moral issues

Note: If the Parish Council agrees, in principle, with an application, but not in all aspects, suggestions for development conditions can be made, in line with relevant factors.
PART 1 (in the presence of the press and public)

1 APOLOGIES FOR ABSENCE

Apologies for absence should be notified to the Clerk by noon on the day of the meeting, if possible. Apologies must be received and accepted before the meeting. If received after the meeting they cannot be recorded.

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 particular circumstances.

3 PUBLIC QUESTION TIME (10 MINUTES)

In accordance with the Parish Council’s Standing Order No.1, members of the public are able to submit a question, either in writing prior to the meeting, or orally at the meeting, or to make a statement. Please see page 2 of the agenda ‘Public Speaking Protocol’. Members of the public are reminded that this is not an opportunity for debate.

Where questions are asked, it shall be for the Chairman to respond to the questioner, unless she is of the view that the response should be given by the Clerk or another parish councillor who may possess the relevant information.

Each member of the public is entitled to speak once only in respect of business itemised on the agenda, or on any other matter which falls within the remit of the Parish Council and shall not speak for more than 10 minutes, dependent on the number of speakers in attendance.

If possible, a response shall be given at the meeting; otherwise a written response can be provided to the questioner. Where a statement is made by a member of the public, there is no requirement for a response. There shall be no discussion on any matter raised by questions.

Any parish councillor may move a motion that the subject matter be placed on the agenda of the next ordinary meeting. On being seconded, the matter shall be put to the vote.

The Chairman shall have discretion to extend the public speaking time if she considers it appropriate.

4 COMMUNITY HALL - HIRE TERMS AND CONDITIONS

The bookings form (ie hiring terms and conditions) for the community hall was approved by Cheshire East Council prior to signing of the lease. The form contains only the general conditions but it is necessary to include special conditions. These have now been added and the Community Hall Management Committee considered these at its meeting held on 14 January 2013, with the aim of making any recommendations to the Parish Council. Any such recommendations will be reported to the meeting.

The draft document is enclosed.

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5 HEDGE-CUTTING – BROAD LANE

This was an outstanding matter from a few months ago when residents complained that the hedge between Maylands Farm and Stapeley Broad Lane School was overgrown and making passage for pedestrians difficult.

The Clerk has received a quotation for cutting the hedge and this is £190. The responsibility for hedge-cutting lies with the landowner. It is understood that this land belongs to a housing developer and the Clerk has now written to that developer requesting that the hedge be cut.

It is suggested that no action be taken at present and that the matter be re-considered at the February meeting when a response from the landowner might be available.

6 RE-LOCATION AROUND THE PARISH OF MOBILE VEHICLE-SPEED DISPLAY UNIT

At its meeting held on 10 January 2013, the Parish Council agreed to allocate a sum of £2,200 in its budget for 2013-2014 to cover the cost of downloading data and moving the speed-watch equipment around the parish every three weeks. This was agreed on health and safety grounds for the volunteers.

This scheme is due to start on 1 April 2013. As the arrangement is on the grounds of health and safety, the Parish Council is now invited to authorise its implementation with immediate effect. The cost between now and the end of the current financial year would be approximately £375.

7 EXCLUSION OF PRESS AND PUBLIC

In accordance with Paragraph 1 (2) of The Public Bodies (Admission to Meetings) Act 1960, the Parish Council is invited to RESOLVE that 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.

8 FURNITURE – COMMUNITY HALL

Quotations from three suppliers have been provided for the supply of tables and chairs for the community hall. Each quotation is in excess of £1,000. The Community Hall Management Committee has the power to approve expenditure up to £1,000 only.

The Parish Council is asked to accept one of the quotations, taking into account the recommendations of the Management Committee which met on 14 January 2013. The Committee’s recommendations will follow under separate cover.

Reason for Exclusion
Information relating to the financial or business affairs of other than the Parish Council.

4