



Shavington-cum-Gresty Parish Council

Clerk: Carol Jones

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www.scgpc.org.uk

NOTICE OF ANNUAL MEETING OF THE PARISH COUNCIL

DATE: WEDNESDAY, 4 MAY 2016

TIME: 7.15 pm (or on the later rising of the
Annual Parish Meeting)

VENUE: SHAVINGTON VILLAGE HALL
SHAVINGTON

Enquiries to: Clerk: Carol Jones

Issue date: 28 April 2016

Signed

To: Members of the Parish Council
Councillors Peter Yoxall (Chairman), G McIntyre (Vice-Chairman), V Adams,
E Ankers, S Cheshire, B Cooper, B Gibbs, K Gibbs, R Hancock, W McIntyre and
A Yoxall

Copies: Borough Councillor Steven Edgar

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 spare copies of the agenda are available at the meeting.

NOTES

The 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*. 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

- Members of the public are able to address the Parish Council and are allowed up to five minutes to speak.
- The chairman shall have discretion to extend public speaking time, if he considers it appropriate.

2 MEETINGS

2.1 Meetings are held in Shavington Village Hall.

2.2 **Exclusion of the press and public:** On occasions, members of the public and press representatives are 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. It is irrelevant whether there are press and public in attendance when the exclusion motion is carried. The purpose of the motion is to ensure that none of the proceedings which follow, including both written documents and any comments made, can be made public after the meeting. If the Council does not resolve to exclude the press and public, this would mean that anything discussed and any documents presented are regarded as in the public domain and must be supplied if requested by anyone, whether as a general request, or under the Freedom of Information Act.

2.3 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*).

2.4 **Planning Grounds:** The grounds on which observations can be made on planning applications are as follows –

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|--|---|
| 1 Development Plan in all its aspects | 8 Appropriateness of use taking account of local area |
| 2 Government legislation and guidance (PPG) | 9 Effect on highway safety and parking |
| 3 Siting | 10 Landscape |
| 4 Design | 11 Listed buildings |
| 5 External appearance | 12 Conservation areas |
| 6 Compatibility with street-scene | 13 Land contamination |
| 7 Development affect on neighbouring properties, amenities and privacy | 14 Flooding |

Non-Relevant Matters

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|---|---|
| 1 Matters controlled by other legislation | 6 Business competition |
| 2 Effects on private rights | 7 Personal circumstances – health/finance |
| 3 Provisions in covenants/deeds | 8 Ownership |
| 4 Effect on property values | 9 Moral issues |
| 5 Private opinions | |

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.

A G E N D A

PART I – ANNUAL COUNCIL BUSINESS

1 ELECTION OF CHAIRMAN

- 1.1 To elect a Chairman to serve until the Annual Meeting in 2017. The Chairman will call for nominations.

Although the Parish Council currently has an informal arrangement whereby a Chairman serves for a period of two years, there is no legal basis for this. The Local Government Act 1972 (Part I, S.15 (paras.1-4) provides for the election of a Chairman at each Annual Council Meeting and this requires nominations '*from the floor*' to ensure the widest pool of candidates for the position.

- 1.2 The Chairman will sign a Declaration of Acceptance of Office, following which the newly-elected Chairman will chair the meeting.

2 ELECTION OF VICE-CHAIRMAN

- 2.1 To elect a Vice-Chairman to serve until the Annual Meeting in 2017. The Chairman will call for nominations.

- 2.2 The Chairman will sign a Declaration of Acceptance of Office, following which the newly-elected Chairman will chair the meeting.

3 APOLOGIES FOR ABSENCE

Apologies for absence should be notified to the Clerk by noon on the day of the meeting, if possible.

4 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.

5 MINUTES

To approve as a correct record the Minutes of the Meeting held on 6 April 2016.

To follow

6 CO-OPTION – CASUAL VACANCY

There are four candidates for co-option to the vacancy caused by the resignation of former Councillor Bob Melling. The candidates are: Philip Carter, Emma Clayton, Matt Ferguson and Nancy Vigrass.

All candidates shall be in attendance throughout the proceedings and the following is the detailed procedure.

- (i) Each candidate will address the Parish Council, briefly, to explain their reasons for wishing to become a member of the Parish Council.
- (ii) When each has addressed the Council, Members may ask questions which can be addressed to all of the candidates, who will respond in turn. Questions should not be of a personal nature.

- (iii) The next stage is for the candidates to be nominated by a Member, and the nomination must be seconded. It is suggested that this be a nomination of all four candidates, but this is a matter for Members themselves to decide.
- (iv) There is no legal requirement to nominate any of the candidates and Members can choose to nominate, for example, only three of the candidates, or none of them.
- (v) The nominations will need to be seconded.
- (vi) The next stage is for a vote to be taken and this will be by secret ballot. The Clerk will provide 'ballot papers' and each Member will be asked to write on the slip, the name of the candidate they wish to be co-opted.
- (vii) The Clerk will announce the results.
- (viii) In the event of there being a clear result (i.e. more than 50% of the Council present and voting for one candidate) that brings the matter to a close.
- (ix) Where no one has an absolute majority of votes in their favour, the name of the person having the least number of votes, shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person.
There are several potential scenarios in respect of voting, as follows and this assumes that all four candidates will attend.
 - In the event of there being two candidates who receive equal lowest votes, these two would be removed from the voting, and that will leave a vote to be taken for the two remaining candidates.
 - Where the voting is not clear; for example, if only three candidates attend and the voting is: Candidate A = 5, Candidate B = 3, Candidate C = 3, in these circumstances it would be advisable to take a further vote as Candidate A could win by default even though fewer than 50% voted for him/her.
 In the event of there being a tie; for example, 3/3/3 (this will depend on the number parish councillors present at the meeting), the Chairman shall have a casting vote. This would be an oral vote.
- (x) If all eleven councillors attend the meeting, there can be no tied vote as there is no justification for abstention in this matter. If there are apologies for absence on the evening, a tied vote is possible.
- (xi) The successful candidate will then be asked to sign a Declaration of Acceptance of Office and will be able to participate fully in the meeting.

7 REVIEW OF DELEGATION ARRANGEMENTS

The Council is invited to appoint Members to the following standing Committees:

Committee	Number of Members	Current Membership
Village Hall Management Committee	Five parish councillors	Eddie Ankers Vivien Adams Kevin Gibbs Gill McIntyre Bill McIntyre
	Two non-parish councillors	Janet Clarke Yvonne Williams

Janet Clarke has confirmed that she wishes to be re-appointed. A response is awaited from Yvonne Williams.

Complaints Committee (<i>ad hoc</i>)	Three parish councillors	Bill McIntyre Anne Yoxall Peter Yoxall
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It is suggested that to ensure a quorum, there should be two additional parish councillors appointed as substitutes.

Finance Committee	Five parish councillors one of which must be the Chairman or Vice-Chairman	Bill Cooper Kevin Gibbs Gill McIntyre Bill McIntyre Peter Yoxall
Environment Committee	Five parish councillors One Allotment Holder representative	Vivien Adams Eddie Ankers Sheila Cheshire Bill McIntyre Anne Yoxall Peter Yoxall None at present
Planning Committee (<i>ad hoc</i>)	Four parish councillors	Rene Hancock Bill McIntyre Gill McIntyre
Neighbourhood Plan Steering Group	Minimum of five parish councillors Up to 20 non-parish councillors	Eddie Ankers Benjamin Gibbs Kevin Gibbs Peter Yoxall

The Terms of Reference for the Steering Group require a minimum of five parish councillors to be appointed. There are currently only four and the quorum for each meeting is three Members. At the last meeting of the Steering Group, it was not able to conduct business because there were only two parish councillors present.

It is important for the process to have as many parish councillors as possible on the Steering Group.

8 TERMS OF REFERENCE FOR COMMITTEES

The Parish Council is invited to review and approve/amend the Terms of Reference for each of the standing Committees of the Parish Council.

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| 8.1 | Village Hall Management Committee | To follow |
| 8.2 | Environment Committee | To follow |
| 8.3 | Finance Committee | To follow |
| 8.3 | Complaints Committee | |
| | The Clerk has been unable to locate Terms of Reference for this Committee. New Terms of Reference will be submitted under separate cover. | |
| 8.4 | Neighbourhood Plan Steering Committee | |
| | The Terms of Reference were reviewed at the April meeting and there is, therefore, no further need to review at this time. | |

9 APPOINTMENT TO OUTSIDE BODIES

The Parish Council is invited to make appointments to the following bodies.

- (a) Village Festival Committee (one representative)

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| (b) Wybunbury United Charities | (two Administration representatives
and two Estate representatives) |
| (c) Shavington Youth Centre
Management Committee | (one representative) |
| (d) Cheque signatories
(Theo Steele Bequest) | (two required) |

10 ANNUAL ACCOUNTS 2015-2016

Bank statements for the Parish Council's accounts showing the financial position at 31 March 2016 have not yet been received, but are expected within the next week. For this reason, it has not been possible for the Finance Committee to meet and consider the accounts for 2015-2016 for referral to the Internal Auditor (John Hancock).

The exercise of public rights commences on 6 June 2016 for a period of 30 working days up to and including 15 July 2016. A notice to this effect will be display in the notice-boards and on the website.

Arrangements will be made for the Finance Committee to meet during May, and the Parish Council will be asked to approve the accounts at its meeting on 1 June 2016. BDO LLP, the external auditor, requires the submission of all documents by 4 July 2016.

11 PROCEDURES

The Parish Council is invited to adopt the following documents.

11.1 Standing Orders and Financial Regulations

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A copy of the combined Standing Orders and Financial Regulations were issued to Members with the agenda for 3 February 2016 to provide sufficient opportunity to review the document. For ease of reference a further copy is enclosed.

If this is adopted by the Parish Council, paper copies can be provided to each Member.

11.2 Complaints Procedure

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The Clerk has been unable to locate a copy of the procedure for dealing with complaints to the Parish Council. A model complaints procedure is enclosed for consideration and adoption.

12 ANNUAL REPORT 2014-2015

To receive the Annual Report for 2015-2016. A copy is enclosed; paper copies will be available at the meeting.

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13 CALENDAR OF MEETINGS – 2016-2017

To approve the calendar of meetings for 2016-2017.

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PART 2 – ORDINARY PARISH COUNCIL BUSINESS

The following items represent the ordinary business of the Parish Council and have been included on the agenda for this meeting in the interests of expediency.

14 PUBLIC QUESTION TIME

Members of the public are able to ask questions, or address the Parish Council, in respect of any item on the agenda, or any matter relevant to the Parish Council's business and the local area.

Each member of the public is permitted to speak for a maximum of five minutes.

15 APPOINTMENT OF INTERNAL AUDITOR – 2016-2017

The Parish Council is required to appoint an Internal Auditor on an annual basis. John Hancock is the current internal auditor, and the Parish Council is invited to re-appoint him for 2016-2017.

16 AUTHORISATION OF PAYMENTS

The Parish Council is asked to authorise the following payments. Any additional payments required will be notified at the meeting.

Parish Council Payments

£859.16	Mrs C M Jones	Salary for April 2016.
£290.74 (tbc)	HMRC	Tax/NI on Clerk's salary (amount to be confirmed by A J Hardy Ltd)
£25.00	A J Hardy Ltd.	Payroll service – for year-end procedure
£25.00	C Willetts	Website maintenance
£853.00	M Webster & Son Ltd	Grounds maintenance work (£710.84 net and £142.16 VAT)
£816.65	ANSA	Purchase of two litter-bins at £340.27 each (£680.54 net and £136.11 VAT)

Village Hall Payments

£tba	Mrs B Fraser	Cleaning of the village hall
£tba	S Castellano	Window-cleaning of village hall
£tba	ASH Waste Services	

17 RECOMMENDATIONS OF THE VILLAGE HALL MANAGEMENT COMMITTEE

The Parish Council is recommended to approve the following quotations which were considered by the Village Hall Management Committee on 27 April 2016.

- (i) Replacement of broken windows in the hall: Quotation submitted by Cheshire Conservatories £102.00 (£85.00 net and £17 VAT).
- (ii) Re-hanging of faulty radiator, replacement of valve and re-filling system. £150.00
Des Massey – Heating and Plumbing

18 PLANNING MATTERS

18.1 Planning Applications

The Parish Council is invited to submit observations on the following planning applications:

16/2015N	54 Lords Mill Road, CW2 5HB	Two-storey side extension
	Deadline date for comments:	18 May 2016.
16/1758N	179 Crewe Road, CW2 5AH	Part timber-framed summer-house/quiet room and garage/store.

Note: The Chairman has requested Councillor Edgar to call-in this application.

Deadline date for comments: 11 May 2016

16/0564N	417 Newcastle Road, CW2 5EB	Change of use from offices with storage area/workshop to beauty salon with sun-beds and treatment rooms
	Deadline date for comments:	4 May 2016. The Clerk has asked for an extension to midnight on 4 May.
16/1690N	Vine Inn, Rope Lane, CW2 5DT	Variation of Condition 9 on approved planning application 14/5472N which covers delivery times associated with the store.
	Deadline date for comments:	4 May 2016. The Clerk has asked for an extension to midnight on 4 May.
16/1892N	Gresty Lodge Barn, 347 Crewe Road, CW2 5AD	Retrospective application for erection of high wall to highway, and associated gates. Re-submission of application 15/5423N.
Note: The Chairman has asked Councillor Edgar to call-in this application.		
	Deadline date for comments:	11 May 2016

18.2 Consultation on CEC Draft Design Guide Supplementary Planning Document

Cheshire East Council commenced consultation on the Design Guide Supplementary Planning Document on 6 April 2016. The consultation concludes on 18 May 2016.

This comprises a CEC Design Guide Part 1 and CEC Design Guide Part 2. To view an electronic copy of the Draft SPD, please access the link below:

www.cheshireeast.gov.uk/DesignGuideConsultation

19 SERVICE LEVEL AGREEMENT – PCSOs

At the previous meeting, Inspector Kate Woods undertook to attend a Parish Council meeting after the elections of 5 May, to discuss a new Service Level Agreement for the provision of PCSOs in the parish.

Inspector Woods is available on Wednesday, 11 May and Members are asked to consider if a special meeting should be held on this date, for the sole purpose of discussing a new agreement.

20 BOROUGH COUNCILLOR'S REPORT

Councillor S Edgar to report on Cheshire East Council matters of interest.

21 DATE OF NEXT MEETING

Subject to agreement of the calendar, the next meeting will be held on 1 June 2016.