



Shavington-cum-Gresty
Parish Council

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Parish Councillors are summoned to a
ANNUAL MEETING OF THE PARISH COUNCIL

DAY/DATE: WEDNESDAY, 2 MAY 2018

TIME: 7.15 PM

NOTE VENUE: SHAVINGTON YOUTH CLUB,
MAIN ROAD, SHAVINGTON

Enquiries to: Clerk: Carol Jones

Issue date: 26 April 2018



To: Members of the Parish Council
Councillors M Andrews, L Buchanan, W Cooper (Chairman), K Gibbs (Vice-Chairman),
V Adams, E Clayton, S Cheshire, M Ferguson, B Gibbs, R Hancock, G McIntyre and
W McIntyre

Copies: Borough Councillor Steven Edgar
PCSO P Corbett
Mr W Atteridge, Chairman of the Neighbourhood Plan Steering Group

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 FOR MEMBERS OF THE PUBLIC

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.

1 PUBLIC QUESTION TIME

- Each member of the public is allowed to speak for up to 5 minutes.
- 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.
- Matters raised 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, i.e. make a statement, which should also relate to the business of the Parish Council. In these circumstances, no response is given.
- 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.

2 MEETINGS

2.1 Venue: Meetings are generally held in the upstairs meeting room at the 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 –

1	The Development Plan in all its aspects.	13	Highway issues: traffic generation, vehicular access, highway safety.
2	Government legislation and guidance	14	Adverse impact on nature conservation interests and biodiversity opportunities.
3	Has there been pre-application consultation?	15	Loss of effect on trees.
4	Previous appeal decisions and Planning Inquiry reports	16	Capacity of physical infrastructure, eg public drainage or water systems.
5	Siting	17	Loss of privacy
6	Loss of sunlight (based on Building Research Establishment Guidance)	18	Layout and density of building design, visual appearance and finishing materials.
7	Over-shadowing/loss of outlook to the detriment of residential amenity (Note: Not related to loss of view)	19	Deficiencies in social facilities, eg, spaces in schools, doctors' surgeries.
8	Inadequate or inappropriate landscaping.	20	Effect on listed buildings and conservation area.
9	Compatibility with street scene.	21	Flooding
10	Development effect on neighbouring properties	22	Storage and handling of hazardous materials and development of contaminated land.
11	Appropriateness of use taking account of local area.	23	Local financial considerations offered as a contribution or grant.
12	Incompatible or unacceptable uses.	24	Neighbourhood Plan

PART I – ANNUAL COUNCIL BUSINESS

1 ELECTION OF CHAIRMAN

- 1.1** To elect a Chairman to serve until the Annual Meeting in 2019. The Chairman will call for nominations.
- 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 2019. The Chairman will call for nominations.
- 2.2** The Vice-Chairman will sign a Declaration of Acceptance of Office.

3 APOLOGIES FOR ABSENCE

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

4 DECLARATIONS OF INTERESTS

Members are asked 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.

The declaration should be made as soon as the Member becomes aware that there might be an interest.

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 4 April 2018.

6 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	Vivien Adams Gill McIntyre Bill McIntyre
	Two non-parish councillors	Janet Clarke Nancy Vigrass
Complaints Committee	Three parish councillors and two substitutes	Gill McIntyre Bill McIntyre <u>Substitute:</u> Rene Hancock
Communications Committee	Five parish councillors and	Bill Cooper Matt Ferguson Benjamin Gibbs
	Two non-parish councillors	Kevin Gibbs

Committee	Number of Members	Current Membership
Finance Committee	Five parish councillors	Bill Cooper Kevin Gibbs Bill McIntyre Gill McIntyre
Members who are appointed to this Committee are asked to attend a meeting of the Finance Committee on either Tuesday, 29 th May or Wednesday, 30 th May. The purpose of the meeting is to consider the detailed accounts for 2017-2018 and to review the effectiveness of the internal audit arrangements.		
Environment Committee	Five parish councillors	Vivien Adams Emma Clayton Bill McIntyre
	One Allotment Holder representative	None at present
Planning Committee	Four parish councillors	Matt Ferguson Rene Hancock Bill McIntyre Gill McIntyre
Neighbourhood Plan Steering Group	Minimum of five parish councillors	Benjamin Gibbs Kevin Gibbs Rene Hancock
	Up to 20 non-parish councillors	

7 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. (Enclosed)

7.1	Village Hall Management Committee	
7.2	Complaints Committee	A copy of the Complaints Procedure is appended to the Terms of Reference.
7.3	Communications Committee.	‘Development of Wi-Fi in the Village Hall’ has been removed, as this has now been implemented. An overview of compliance with the General Data Protection Regulation has been added.
7.4	Finance Committee	
7.5	Environment Committee	
7.6	Planning Committee	
7.7	Neighbourhood Plan Steering Group	This is the only Committee which is not set up under S.101 of the Local Government Act 1972. This is established under Neighbourhood Planning Regulations as enshrined in the Localism Act 2011. A copy of the Terms of Reference is enclosed for review. The Chairman of the Steering Group reports that the number of volunteer members has reduced. An article can be included in the next newsletter inviting additional volunteers to come forward.

8 APPOINTMENT TO OUTSIDE BODIES

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

- | | |
|---|--|
| (a) Village Festival Committee | (one representative) |
| (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) |

9 ANNUAL ACCOUNTS 2017-2018

The Finance Committee is meeting on either 29th or 30th and will review the accounts which have been submitted to the Internal Auditor. The timetable for the accounts is as follows:

- Accounts to be audited by Internal Auditor – 25 April – 9 May 2018.
- Finance Committee meeting (29th or 30th May 2018) to consider detailed accounts and internal audit review.
- 6 June 2018 - Submission of the Annual Governance and Accountability Return (AGAR) for approval by the Parish Council.
- Issue of AGAR to External Auditor (PKF Littlejohn) to be received by no later than 18 June 2018. The original date was 11 June but as the Parish Council will not be considering the accounts until 6 June, an extension was required.
- Exercise of public rights: 11 June – 20 July 2018 – to be published on the website and in notice-boards on 8 June 2018.

10 CALENDAR OF MEETINGS – 2018-2019

To approve the calendar of meetings for 2018-2019.

11 POLICIES/PROCEDURES

The Parish Council is invited to review the following documents, some of which have already been adopted.

11.1 Standing Orders and Financial Regulations

The Parish Council is invited to consider amending Standing Order 1(d) which relates to Public Question Time and reads as follows:

Subject to standing order 1(c) above, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 5 minutes, dependent on the number of speakers in attendance. The Chairman shall have the discretion to extend the public speaking time, if considered appropriate.

The Parish Council is invited to consider amending the Standing Order to remove the words 'and shall not speak for more than 5 minutes, dependent on the number of speakers in attendance.' The Chairman has discretion to extend Public Question Time if he/she considers it appropriate and the specification of time for individual members of the public to speak, is unnecessary.

11.2 Co-option Procedure

To consider adopting the enclosed procedure for casual vacancies.

11.3 General Data Protection Regulation (GDPR)

On 25 May 2018, the General Data Protection Regulation will supersede the 1998 Data Protection Act.

The Clerk's report is enclosed and gives an overview of the changes which will affect the Parish Council. ✎

Although the deadline of 25 May 2018 is immovable, the Information Commissioner's Office has advised that it will operate a 'light touch' until it is possible for all Councils to have put in place their arrangements for data protection. In the meantime, the Parish Council is invited to consider appointing JDH Business Services as the Data Protection Officer (DPO). A letter from JDH is enclosed for consideration. The fee would be £600 for the first year, reducing to £400 for the second year. ✎

The role of the DPO is explained in the Clerk's report and Members will note that Clerks/Responsible Financial Officers cannot be appointed to this role as they are not independent. The DPO must be independent and is auditing to ensure that there is compliance with the GDPR.

12 MEMBERS' ATTENDANCE RECORD – MUNICIPAL YEAR MAY 2017-APRIL 2018

To receive a schedule of Members' attendance for the municipal year 2017-2018. In accordance with the Transparency Code, this will be published on the Council's website. ✎

13 RISK ASSESSMENT/MANAGEMENT

The Parish Council is required to carry out a risk assessment annually. This is a statutory requirement but was not carried out during 2017-2018. ✎

The risk assessment/management schedule is enclosed for approval/amendment,

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; however, **as there is significant business to be transacted, Members may wish to defer some of the items to the June meeting.**

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.

Members of the public are reminded that if there are any observations on the planning applications listed below, this is the only opportunity for those comments to be made.

Note: Borough Councillor S Edgar and Mr W Atteridge, each have their own item slots on the agenda and will speak under those items, but, as with other members of the public, will not be able to participate in the remainder of the meeting.

15 BOROUGH COUNCILLOR STEVE EDGAR

Councillor S Edgar to report on Cheshire East Council matters of interest and provide an update in respect of outstanding parish matters.

16 NEIGHBOURHOOD PLAN

To receive a detailed update on progress on the Neighbourhood Plan. Mr W Atteridge, the Chairman of the Neighbourhood Plan Steering Group will be submitting a document which includes draft policies to date, together with a project plan.

This document will be sent under separate cover.

17 FINANCIAL MATTERS – AUTHORISATION OF PAYMENTS

The Parish Council is asked to authorise the following payments. Any additional payments required will be notified at the meeting. Members who sign the cheques are also asked to initial invoices to ensure that payments match the invoice amounts.

A Parish Council Payments

£926.10	Mrs C M Jones	Net salary – April 2018 Salary has been increased with effect from 1 April 2018
£294.26	HMRC	£231.40 Tax and £62.86 Employer's NI
£15.00	A J Hardy Ltd	Monthly payroll service.
£80.00	C Willetts	Website support
£215.86	Internet Central	Charges for website scgpc.org.uk Once the Parish Council has fully transitioned to the new website, this contract can be cancelled.
£875.50	M Webster & Son Ltd	Grounds maintenance (£729.58 net and £145.92 VAT)
£5,060.51	Construction Linx	Part payment for Village Hall toilets up-grading. (£4,217.09 net and 3843.42 VAT)

B Village Hall Payments

£tba	Mrs B Fraser	Cleaning of the village hall (April 2018)
£7.44	ASH Waste Services	Fortnightly waste collection (£6.20 net and £1.24 VAT)
£589.89	C M Jones	Electricity Supply at village hall.

At the previous meeting, this payment was authorised and a cheque was signed. Prior to the meeting, Scottish Power had sent a reminder stating that this would be 'escalated' to the Debt Collection recovery team. At that time, the Clerk phoned Scottish Power and advised that a cheque would be authorised on 4 April and a note was (apparently) made on the account to show that; however, before the Clerk was able to post the cheque, another payment demand was received stating that this had now been 'escalated' and a debt collector would call at the Clerk's house for payment, possibly disconnecting her electricity supply. (This would not happen as the supply address is the village hall). For this reason, the Clerk withheld posting the cheque and paid by personal credit card to ensure that there was no delay in payment. The cheque has been marked 'void' and stapled to the invoice for audit purposes.

The Clerk has written to Scottish Power to explain the Parish Council's procedure for authorisation of payments and suggested that this escalation is unnecessary for local authorities.

18 PLANNING MATTERS

18.1 Southern Planning Committee Meeting – 2 May 2018

To report that planning application No. 17/6487N (Land to rear of 46 Chestnut Avenue) is to be determined by the Committee. The outcome will be reported to the meeting.

18.2 The Parish Council is invited to comment on the following planning application.

18/1571N 339 Crewe Road, Shavington, CW2 5AD
New build detached 3-bedroom dwelling with garage

Deadline date for observations: 9 May 2018

19 POLICE – SERVICE LEVEL AGREEMENT

At the April meeting, Members discussed the new Service Level Agreement (SLA) with Det. Sgt Chris Morris. It was agreed that this be discussed at this meeting to enable the Parish Council to draft its priorities for delivery of the PCSO service.

For ease of reference, a copy of the SLA is enclosed.

20 CONSULTATION – REPLACEMENT WASTE BINS (Deferred from April meeting)

As part of the Cheshire East Council (CEC) budget setting for 2018-19, it was agreed that it should consult on proposals to charge for new and replacement bins in Cheshire East as is the case in many other authorities. Currently, CEC supplies 10,000 new or replacement bins per year at a cost of almost £360,000 which is something Cheshire East Council cannot sustain.

As part of this process CEC is undertaking a ten-week public consultation to allow residents to have their say on proposals to bring in charges for new or replacement bins.

This consultation began on Tuesday 13 March and will run until Monday 21 May 2018. The survey is available online at the following link: <https://surveys.cheshireeast.gov.uk/s/Bins18/> or in paper form at all local libraries.

Charges will be agreed on an annual basis as part of the Council's fees and charges and is likely to be in the region of £30 each for recycling and garden waste bins, £35 for a standard black residual bin, or £25 for a smaller residual bin. A 25 per cent concession will be made for households in receipt of eligible welfare support.

CEC is also proposing to put the addresses of residents on all new bins, which should help to reduce the theft of bins across the borough.

21 PURCHASE OF DEFIBRILLATOR

The Parish Council has budgeted for the purchase of an AED (Automated External Defibrillator) during 2018-2019 and is invited to consider (a) purchase of an AED; and (b) its location.

22 REFURBISHMENT OF PARISH COUNCIL-OWNED SEATS/BENCHES IN THE PARISH

The Parish Council is asked to consider the replacement/refurbishment of Parish Council-owned seats/benches in the parish.

23 POST-BOX – VILLAGE HALL

The Parish Council is asked to consider installing a post-box on the outside of the village hall for the sole use of residents who wish to contact PCSO Corbett.

24 WWI CENTENARY CELEBRATIONS

Councillor B Gibbs to update the Parish Council in respect of progress on arrangements for the joint event between the two churches and the Parish Council.

25 OUTSTANDING MATTERS

- **Highway Safety in the Parish (Minute No. 227)**

The Senior Highways Officer has passed this matter onto the Traffic Safety Team to respond. A response is awaited, but the Clerk will follow-up prior to the meeting.

- **Gresty Lane Allotments (Minute No. 250)**

The Clerk has not yet contacted CEC to arrange a meeting with an Officer from the Allotments Team.

- **Vine Tree Play Area (Minute No. 251)**

Mr Espley, who used to carry out the playground inspections, has been unable to recommend an appropriately qualified person to carry out these inspections. The Clerk has contacted CEC for a list of potential playground inspectors.

26 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.

27 VILLAGE HALL – TOILETS UP-GRADING

To consider the Clerk's brief report (enclosed).

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28 REPLACEMENT CEILING

The Parish Council is invited to consider two quotations for the replacement ceiling in the Village Hall. The quotations are enclosed, together with a brief covering report.

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29 DATE OF NEXT MEETING

6 June 2017 (subject to approval of the Calendar for 2018-2019).