



# Shavington-cum-Gresty Parish Council

Clerk: Carol Jones

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

**DATE:** WEDNESDAY, 2 MARCH 2016

**TIME:** 7.15 pm

**VENUE:** SHAVINGTON VILLAGE HALL  
SHAVINGTON

Enquiries to: Clerk: Carol Jones

Issue date: 24 February 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  
Police representatives

**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.

Quorum: 4

## 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 –

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
<b><u>Non-Relevant Matters</u></b>			
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

## 1 APOLOGIES

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

## 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 MINUTES

To approve as a correct record, the Minutes of the Meeting held on 3 February 2016, the same to be signed by the Chairman. ...

## 4 MATTERS ARISING (Not detailed separately elsewhere on the agenda)

### 4.1 Bin Locations

Following the Chairman's site visit with an Officer from ANSA, the attached shows the proposed locations for the new bins, and the re-location of existing bins. The Parish Council is asked to confirm the locations as the most appropriate. ...

## 5 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 business 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.

Members of the public are reminded that this is the only opportunity for participation in the meeting.

## 6 VILLAGE HALL MANAGEMENT COMMITTEE

### 6.1 Village Hall Management Committee (17 February 2016)

To receive the Minutes of the Meeting held on 17 February 2016. The Clerk incorrectly advised the Committee that expenditure up to £500 could be authorised without the need to seek quotations. This will be corrected at the next meeting. ...

### 6.2 Contract for Servicing of the Central Heating System (Minute No. 74)

The Parish Council is asked to waive the Regulations as to Contracts in respect of the Committee's recommendation to award a contract to British Gas as detailed in Minute No. 74 of the attached minutes, and set out below.

Regulation 11.1 (h) states '*The Clerk/RFO shall obtain three quotations where the value of the [goods/services] is above £100 but below £1,000....*'

The recommended resolution is as follows:

(a) That the Regulations as to Contracts be waived to enable a twelve-month contract to be negotiated with British Gas without competition. The reason for waiving the regulations is:

British Gas, as the supplier of the energy for the central heating system at the village hall, is best-placed to provide the cover as detailed below.

Annual contract in the sum of £422.00 plus VAT of £88.40 –

- i. Full system care plan to cover boiler and radiators;
- ii. Breakdown cover;
- iii. Annual servicing;
- iv. Parts and labour and call-out; and
- v. Annual certification.

(b) That, in the event of the Parish Council changing its gas supplier during or after the twelve-month contract, the matter be reviewed to allow the new supplier to quote for a similar contract.

## **7 POLICE MATTERS**

To receive a report from a PCSO or PC John Roberts.

## **8 CO-OPTION TO CASUAL VACANCY**

The Parish Council is invited to consider any candidates for co-option. The vacancy, caused by Councillor Melling's resignation, has been advertised in the notice-boards, on the website and via social media. At the time of publication of the agenda, there are no declared candidates; however, if any come forward, they can be considered at the meeting. The following procedure is suggested:

- Candidate(s) to give brief outline of reasons for wishing to enter public life.
- Members of the Council to ask questions of the candidate, which should not be of a personal nature.
- If any of the candidates are considered suitable, their nomination should be moved and seconded, following which a vote will be taken.
- In the event of there being one candidate for the one seat, the vote can be by a show of hands; however, in accordance with the current Standing Orders, Members are able to vote by secret ballot if they so request.

In the event of a candidate being co-opted, he/she will sign a Declaration of Acceptance of Office and will then be able to participate fully in the meeting.

## **9 NEIGHBOURHOOD PLAN**

**9.1** To receive an update in respect of the public meeting held on **29 February 2016**.

### **9.2 Virtual Meetings of the Steering Group**

At the previous meeting, there was a suggestion that meetings of the Neighbourhood Plan Steering Group could be held virtually, via Skype. The Clerk has checked Parish Council procedures and whilst not set out in statute, Neighbourhood Planning guidance indicates that such meetings should be open and transparent and members of the public given the opportunity to observe the proceedings if they wish.

If any working groups are set up (i.e. fact-finding groups) these could, possibly, be held in private but Members are encouraged to err on the side of openness and transparency. Decision meetings, i.e. those where recommendations are to be made to the Parish Council, should be held in public.

### 9.3 Inaugural Meeting of the Steering Group

The inaugural meeting of the Steering Group is to be held on 16 March 2016. The Clerk has prepared a draft agenda (enclosed) and will be in attendance to record the proceedings and offer advice. ...

## 10 FINANCIAL MATTERS

### 10.1 Payment to Police and Crime Commissioner (PCSOs)

At the previous meeting, the Parish Council received a Receipts and Payments Statement for the period 1 April to 24 December 2015 (Parish Council account). This showed that there had been no payments to the Police and Crime Commissioner during the financial year in respect of the Parish Council's contribution towards the cost of two PCSOs in the parish.

Notwithstanding this, at the conclusion of the February meeting, the cheque for £15,733.00 for the two half-year periods (April 2015 – September 2015 and October 2015 – March 2016) was withdrawn. Cheshire Constabulary has now followed-up the non-payment. The Parish Council is contractually obliged to pay this account and the Clerk's advice is that this should be paid.

### 10.2 Authorisation of Payments

The Parish Council is asked to approve the following payments. Other payments requiring authorisation will be reported to the meeting.

#### Parish Council Payments

£809.22	Mrs C M Jones	Net salary – March 2016
£169.58	Mrs C M Jones	Reimbursement for payment to The Leaflet Team for distribution of the NP leaflet.
£745.76	Mrs C M Jones	Reimbursement for payment to HMRC

A cheque for £746.07 (Chq No. 562) payable to HMRC, was sent to A J Hardy Ltd on 9 December 2015. The cheque was returned to the Clerk by Amanda Hardy but was not received by the Clerk. The Clerk did not become aware of this until 22 February at which time, the payment was overdue.

The Clerk has, therefore, sent a personal cheque for this amount to HMRC to avoid any late fees; and the bank has been asked to cancel the cheque.

£248.49	HMRC	Tax/NI on Clerk's salary
£15.00	A J Hardy Ltd.	Payroll service
£tba	K Gibbs	Reimbursement for printing of NP leaflet
£37.40	P Yoxall	Printing Ink (£32.00) – Travel in parish to inspect locations for litter-bins (12 miles - £5.40)
£25.00	C Willetts	Website maintenance
£853.00	M Webster & Son	Grounds maintenance work (£710.84 net and £142.16 VAT)

#### Village Hall Payments

£43.18	United Utilities	Water and wastewater 29 October 2015 – 26 January 2016
£tba	Mrs B Fraser	Cleaning of community hall
£50.00	S Castellano	Cleaning of village hall windows (Squeaky Clean)

£66.29	Mrs V Adams	Reimbursement for supplies at the Village Hall.
£tba	Dowding & Plummer	At the previous meeting, the Council approved a sum of £82.76, some of which was for 5 litres of Diamond floor polish. A total of four x 5 litre tins was ordered, but the Council was only invoiced for (and received) 5 litres.  A further three tins are required. A pro-forma invoice will be available at the meeting.

### 10.3 Financial Regulations

In view of the decision required by the Parish Council at agenda item 6.2 above, it is timely for the Parish Council to update its financial regulations. The current regulations observed by the Parish Council are dated 2004. The national model financial regulations were updated in 2014.

The Parish Council is asked to adopt the enclosed Financial Regulations. These will be incorporated into one complete document comprising both Standing Orders and Financial Regulations, for adoption at the Annual Meeting. ...

Whilst the enclosed document pre-dates the 2014 update, it is an accurate representation of the position in 2013. The Clerk will review the document further and present a revised version to the Annual Meeting.

Under the current regulations, the Parish Council is required to seek quotations for every item of expenditure in excess of £100. This is an unrealistically low amount and requires the Parish Council to seek quotations for almost every item of expenditure. A figure of £500 is more realistic and allows for business to be carried out more effectively.

In summary, the key changes in the regulations are as follows:

- For expenditure under £500, the Parish Council is required only to ensure that it is receiving the best value for money [(Regulation 11 (h))]
- Contracts in excess of £500 but below £1,000 the Clerk shall strive to obtain three estimates. [Regulation 11 (g)]. This means that provided that good faith efforts have been made to seek quotations, the Parish Council will be able to consider fewer than three quotations in certain circumstances.
- Contracts in excess of £1,000 but under £50,000: three quotations required [Regulation 11(g)]
- Contracts in excess £50,000 and above: formal tendering process [Regulation 11 (b)].

#### **Regulation 6.6 – Cash Float**

It should be noted that this regulation prohibits use of a cash float, although the Parish Council currently operates such a system. The prohibition of a cash float is also part of the Parish Council's current Financial Regulations (Regulation 6.5). Expenditure for such items as postage or stationery should be reclaimed and paid by cheque.

## 11 PARISH BOUNDARY SIGNS

The Clerk has now submitted to Cheshire East Highways the proposed locations of the new boundary signs as identified at the previous meeting. The cost of the signs will need to be met by the Parish Council and this is not currently a head of expenditure in the budget.

A Highways Engineer will need to survey and measure each location to enable a quotation to be submitted. As this work is likely to take at least a whole day, Members are invited to decide if they are willing to fund the purchase of new signs, in principle. This will avoid any abortive work being undertaken by Cheshire East Highways (CEH). If the Council agrees

that these signs are needed, CEH can be asked to carry out the necessary survey work and the Council can consider quotations at its April or May meeting.

## 12 PLANNING MATTERS

### 12.1 Planning Applications

At the time of publication of the agenda, there are no planning applications for consultation.

#### 12.2 Planning Application 16/0015N (Land to rear of 46 Chestnut Avenue, Shavington) Outline application for the demolition of 46 Chestnut Avenue and erection of 44 dwellings (including access) and associated works.

At the previous meeting, the Clerk was asked to submit the Council's objections to this planning application, subject to additional information being made available by Members in respect of inaccuracies in the documentation submitted. The Clerk was asked to review the Cheshire East Council website and to check the Local Plan on 10 February. In the event that this site was not listed as an allocated site for development, this should be included as an additional objection.

The Clerk did not receive information about detailed inaccuracies and was unable to locate the Local Plan on the CEC website. To ensure that the objections were submitted to CEC by the deadline date, the Clerk made minor amendments to (b) and (c) of the resolution as follows:

*'.....(b)The documentation submitted by the applicant contains numerous inaccuracies, details of which can be provided at a later date, and, if available, will be provided before 25 February 2016 (the deadline date for observations on this application).*

*(c) If this site does not appear in the land allocated for development in the new Cheshire East Local Development Plan, this is a further objection to the application; and.....'*

### 12.3 Southern Planning Committee

The following planning application is to be considered at the Southern Planning Committee on 2 March 2016 (10.00 am in the Council Chamber, Municipal Buildings, Earle Street, Crewe) and the Parish Council is able to nominate a Member to address the Committee. Application to speak must be made by noon on the day before the meeting.

This application was considered by the Parish Council at an extra-ordinary meeting held on 20 January and comments were submitted to Cheshire East Council.

**(Note: By the time the Parish Council meeting is in session, the Southern Planning Committee will have met. If there is a likelihood of a Member wishing to address the Committee, please contact the Clerk by no later than 11.00 am on Tuesday, 1 March.)**

15/4967N Land east of Rope Lane, Shavington  
Reserved matters application seeking consent for appearance,  
landscaping, layout and scale following approval of 14/3267N  
construction of up to 53 dwellings including details of access

The public speaking rules allow a parish councillor to speak for a total of five minutes.

### 12.4 Diversion of Public Footpath No 11 (part) Parish of Basford Public Path Diversion Order 2016

To report that the above Order was made on 11 February 2016. A copy of the Statement of Reasons for making the Order, together with a copy of the plan, is enclosed.

...

**13 CORRESPONDENCE/INFORMATION**

The following items of correspondence have been received:

- E-mail from resident complaining about rat infestation generally in gardens along Crewe Road since development has taken place. (Councillor Steven Edgar has now resolved the issue with the resident.)
- Local resident interested in becoming involved in the re-design of the website. The Clerk has responded and the information has also been provided to Councillor B Gibbs.
- Cheshire East Local Plan Strategy: A copy of the report to be submitted to full Council on 25 February 2016 is enclosed for information. Council will be asked to approve proposed changes to the Local Plan Strategy.
- Commemorative bench (the late Michael Beeston). The Clerk has contacted Cheshire East Highways to seek permission for this bench to be located at the corner of Barons Road. Precise details of the location need to be provided to CEH prior to permission being considered and granted. Councillor K Gibbs has been asked to provide these.

**14 BOROUGH COUNCILLOR S EDGAR**

Borough Councillor S Edgar to report on Cheshire East Council matters of interest and to update Members in respect of any Ward issues.

**15 SHARED ITEMS/BOROUGH COUNCILLOR'S REPORT**

Members are invited to share information which was not available at the time of publication of the agenda, or to report on attendance at recent meetings of outside bodies.

**16 DATE OF NEXT MEETING**

**6 April 2016**

**17 EXCLUSION OF PRESS AND PUBLIC**

The Parish Council is invited to exclude the press and public from the meeting during consideration of the following item, in accordance with Paragraph 1(2) of the Public Bodies (Admission to Meetings) Act 1960, owing to the confidential nature of the business to be transacted, and the public interest would not be served in disclosing the information.

**18 CLERK'S EMPLOYMENT**

(Reason for exclusion: employment matter)

The Clerk's six-month probationary period concluded on 29 February 2016. The Parish Council is invited to consider the matter. The Clerk's report is enclosed. ...

(Note: The Clerk will withdraw from the meeting during discussion of this item.)