

HANKELow PARISH COUNCIL

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Clerk

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Parish Councillors are summoned to a meeting of the Parish Council

DATE: MONDAY, 3 NOVEMBER 2014
TIME: 7.30 PM
VENUE: SCHOOL ROOM, HANKELow METHODIST CHAPEL



Signed: _____ Date of Issue: 27 October 2014

A G E N D A

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

Members to declare any non-pecuniary or disclosable 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 correct records, the Minutes of the following meetings:

- 1 September 2014. ...
- 18 September 2014 ...
- 9 October 2014 ...

4 ACTION FROM RECENT MEETINGS

1 September 2014

The following actions have been implemented:

- CEC has been informed that a litter-bin from The Green has been re-located to the lay-by outside the Swedish Houses and has been asked to include this on its refuse-collection round.

To: Councillors G Foster (Chairman), C Ainley, G Cope, I Jones and A Lee

Copy: Borough Councillor R A Bailey

- CEC Planning has been informed that the Parish Council supported planning application No. 14/3717N (Coole Hall Farm).

18 September 2014

- Comments made on planning application 14/4146N (Land off Longhill Lane) have been forwarded to Cheshire East Planning.

It was expected that this application would be heard by Southern Planning Committee on 22 October 2014. The application was not listed for that meeting but is expected to be scheduled for 19 November 2014. The Clerk has notified the Committee Officer that Councillors Ainley and Lee will attend Southern Planning Committee to speak on this application.

9 October 2014

- Refurbishment of Chapel. ACDA has missed the deadline for making application for grant funding of £15,000 to improve the Chapel. The letter has been prepared but is not required until February 2015.
- Comments made on planning application 14/4300N (Lodge Farm) have been sent to Cheshire East Planning.

The Clerk has notified the Committee Officer that Councillor Foster will attend Southern Planning Committee on 19 November 2014 to speak on this application.

5 OUTSTANDING PARISH COUNCIL RESOLUTIONS

To note the following pending matters and to take any appropriate action:

| Minute Nos. | Item | Action |
|---|--|--|
| 19 (2 Jul 12) 52 (12 Nov 12) 92 (4 Mar 14) | Reinstatement of permissive path – Hankelow – Corbrook The date of the last letter to Morris Care was 2 September 2014 | To be decided |
| Mr Morris has now advised (by telephone only) that he is in the process of preparing 'appropriate wording' which will allow pedestrians to use the gated access created to facilitate the building work to Corbrook Court. The legal wording will be forwarded in due course. Mr Morris has not indicated if there would be any difficulty with pedestrians using this route with immediate effect, although there could be a liability issue if anything untoward occurred before the formal notification is received. | | |
| 21 (7 Jul 14) | Drainage scheme for The Green – CEC to consider for funding either this year (2014-2015) or in next year's programme. | Follow-up later in year in readiness for inclusion in the budget in 2015-2016 if required. |
| Parish Meeting (12 May 14) | White lining on Longhill Lane to create visual reduction in road width, making it safer for pedestrians. | Parish Council to provide further details to CEC, or to decide not to pursue this further. |
| 21 (7 Jul 14) | A CEC Highways Engineer has indicated that this proposal is unlikely unless the road is wide, but has said that to consider it properly, he would need more information. | |

| Minute Nos. | Item | Action |
|-------------------------------|---|--|
| Parish Meeting (12 May 14) | <p>Purchase of plants and improvements to benches.</p> <p>It was agreed that the £100 grant from Cheshire Community Action (in 2013-2014) be used for this purpose. No requests for funding have yet been received, other than £50 for compost.</p> | To consider if other purchases should be made. |

7 TREE PRESERVATION ORDERS

The Parish Council is asked to consider if any of the trees in the parish are worthy of preserving, possibly by means of applying for Tree Preservation Orders (TPO), as appropriate.

Cheshire East Council can only make a TPO where it appears to be expedient to protect a tree, group of trees or woodland which make a significant contribution to amenity. This may include trees that are in danger of being felled or under threat due to proposed development. The following criteria are taken into account:

- The condition of the tree(s) and an assessment of future life expectancy.
- An assessment of the potential threat to the tree and whether it is expedient to make a Tree Preservation Order.
- A Landscape appraisal will assess visual prominence, landscape setting, presence of other trees and function and suitability of the tree(s) to the site.
- Future benefits the tree might provide, growth potential, age and assessment of wildlife habitat.

8 FINANCIAL MATTERS

8.1 Authorisation of Payments

£20.00 Reimbursement to Councillor G Cope for cutting-back of nettles along grass verges

£65.00 HM Revenue & Customs – tax on Clerk’s salary

£tba Councillor C Ainley – reimbursement for purchase of ‘30 mph’ stickers for wheelie-bins.

8.2 Receipts and Payments Statement – 1 April – 30 September 2014

To approve the Receipts and Payments statement for the period to 30 September 2014. ...

8.3 Request for Grant

The Parish Council is invited to consider if a grant should be made to the Church Council to add to the WREN funding to carry out improvements to the Chapel. In view of the significant funds being held by the Parish Council, a grant of, say, £500 could be made if Members were so minded. As the grant application has been deferred to February 2015, the Parish Council might wish to defer consideration of this and include it in the budget proposals for 2015-2016.

8.4 Draft Budget Proposals – 2015-2016

A first draft of the budget proposals for 2015-2016 is enclosed. The Parish Council will be asked to finalise the budget at its January 2015 meeting. ...

8.5 Authorisation of Clerk as a Bank Signatory

This item was included on the agenda for the September meeting but was deferred to allow all Members to be involved in the decision.

The Clerk is currently not listed either as a signatory or a correspondent in respect of the Parish Council's bank account. This means that she is not entitled to speak to staff at NatWest, nor to communicate in writing. This is currently carried out by the Chairman. Bank statements are issued to 'The Chairman' but are sent to the Clerk's home address.

The Clerk has the statutory role of Responsible Financial Officer (S.151 of the Local Government Act 1972) and is responsible for the administration and stewardship of the Council's accounts and as such, should be allowed unfettered access to the Parish Council's bank accounts.

The role and functions of the S151 Officer are directly informed by a comprehensive framework of statutory duties and responsibilities. In summary, the S.151 Officer –

- Is a role prescribed by law. All local authorities must assign S.151 duties to one officer;
- Must ensure compliance with all statutory requirements for accounting and internal audit (including supporting records and all systems of internal checks and control);
- Manages the financial affairs of the authority in all its dealings and transactions and in so doing secure the proper stewardship of Council (and Members) responsibilities;
- Must report under S.114 powers to the Council, the External Auditor and all Members of the authority if there is, or is likely to be, any item of unlawful expenditure or an unbalanced budget;
- Owes a personal duty of care to local tax-payers in managing Council resources on their behalf. In discharging this responsibility the S.151 Officer must balance the needs and interests of both current and future taxpayers.

The Parish Council is asked to authorise the Clerk as an additional signatory to the Parish Council's bank accounts.

9 CHESHIRE ASSOCIATION OF LOCAL COUNCILS – CHARTER

The Parish Council is invited to comment on the draft charter, which is an update of the previous charter prepared by the Cheshire Association of Local Councils.

...

The charter sets out the protocols to enhance and develop collaborative working between the town and parish councils in Cheshire East and Cheshire East Council.

10 BOROUGH COUNCILLOR'S REPORT

Councillor Rachel Bailey to report on Cheshire East Council matters of interest.

11 SPEED WATCH SCHEME

Members are invited to review arrangements for the operation of the speed-watch scheme.

12 VILLAGE DESIGN STATEMENT/NEIGHBOURHOOD PLAN

Parish Councillors to report on the meeting with Tom Evans (Cheshire East Spatial Planning Team) which was an open forum with Buerton Parish Councillors. Although a meeting had been planned for 22 September 2014 between Hankelow Parish Councillors and Tom Evans, Mr Evans had been unable to attend that meeting. Members had, therefore, joined the open forum with Buerton Parish Councillors.

The Parish Council is asked to consider whether to continue with the preparation of a Village Design Statement or to produce a Neighbourhood Plan jointly with Buerton Parish Council.

The report submitted to the Parish Council meeting held on 7 July 2014 is enclosed as a reminder of the issues raised, together with Tom Evans' responses. ...

13 PLANNING APPLICATIONS

13.1 The Parish Council is invited to make comments on the following planning application by 4 November 2014.

14/4567N Gamekeeper's Cottage, Hankelow Hall Park, Hall Lane, Hankelow
Non-material minor amendment to the Gamekeeper's Cottage.

13.2 To note that the deadline for comments has passed in respect of the following planning application.

14/4470N Hankelow Hall, Hall Lane – Non-material minor amendment to P08/0869 –
proposed enabling development of four detached dwellings with garages.

14 CHAIRMAN'S ITEMS

The Chairman has requested the inclusion of the following items:

- The Parish Council to consider sending a 'thank you' letter to Bridgemere Garden World.
- Grass-cutting arrangements.

15 SHARED INFORMATION/REPORT OF MEMBERS APPOINTED TO OUTSIDE BODIES

Parish Councillors are invited to share information. No decisions can be made under this item.

Members who have been appointed to outside bodies can take this opportunity to report on any recent meetings.

- The Chairman will provide a report in respect of Audlem Burial Board.
- Councillor I Jones to report on the Cheshire Community Action Awards Ceremony held on 9 October 2014.

16 DATE OF NEXT MEETING

To confirm the date of the next meeting.

The calendar indicates **Tuesday, 6 January 2015** and this was based on the fact that the White Lion closed on Monday evenings. The Minutes of the Annual Meeting indicate that the meeting is on Monday, 5 January 2015.

Notes

1) Members of the Public

The Parish Council welcomes and encourages members of the public to attend its meetings. You are requested to enter and leave quietly and to remain quiet during the meeting. Mobile phones and pagers should be switched off, and no food or drink should be brought into the meeting.

Members of the public are not able to participate in meetings but are able to ask questions or make a statement, prior to the start of the meeting. In addition, if you feel there is a matter which should be brought to the attention of the Parish Council you may contact the Clerk, the Chairman, or any member of the Parish Council, and arrangements can be made to place the item on the agenda for the next meeting, if appropriate.

On occasions, members of the press and public will be excluded from the meetings when the business to be transacted is of a confidential nature; for example, dealing with individual people, staffing matters, contracts and financial affairs of other parties.

2) Parish Councillors

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*).

B) 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 | 9 | Effect on highway safety |
| 3 | Siting | 10 | Landscape |
| 4 | Design | 11 | Listed buildings |
| 5 | External appearance | 12 | Conservation areas |
| 6 | Compatibility with street scene | 13 | Land |
| 7 | Development effect on neighbouring properties, contamination, amenities and privacy | 14 | Flooding |

Non-Relevant Matters

- | | | | |
|---|---|---|---|
| 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.