

# NETHER ALDERLEY PARISH COUNCIL

## Minutes of the Parish Council Meeting held on Tuesday 8<sup>th</sup> August 2023 6.30pm at Nether Alderley Parish Hall

**In the Chair** Cllr. Lesley Vice Chair

**Parish Councillors present:** Cllrs: Sue Joseph, Lesley Gleave, Jackie Wilkinson, and Dave Clarke.

**Also present:** David Naylor Parish Council Clerk

Cheshire East Cllr. (Chelford Ward) Anthony Harrison

**Members of the Public:** There were no members of the Public.

**1. To receive apologies for absence.** Cllrs. Angela Farrell and Geoff Linnell.

**2. To receive Declarations of Interests**

- To declare disclosable pecuniary interests (Councillors with disclosable pecuniary interest(s) must leave the room for the relevant items). There were none.
- To declare interests conflicting with the Nolan principles/non-pecuniary interests. There were none.
- To allow Councillors to consider amendments required to their Declaration of Pecuniary Interest forms. There were none.

**3. To consider and approve Applications for Dispensations.** There were none.

**4. To resolve to approve that the Minutes of the Parish Council Meeting** held on 11<sup>th</sup> July 2023 as a true and accurate record. It was **RESOLVED** that the Minutes were a true and accurate record.

**Proposed: Cllr. Joseph and seconded by Cllr. Wilkinson**

**5. 6.35 pm Public Presentation**

No members of the public were present.

**6. Resumption of the Meeting.** The meeting was resumed.

**7. Neighbourhood Plan (NP) Progress**

**7.1** Locality had notified the Clerk that the Neighbourhood Planning support regime had opened for this financial year. The Clerk would now apply for the Design Codes to be produced by AECOM and be included within the Inspector Version of the Nether Alderley Neighbourhood Plan. The Parish Council cannot engage directly with AECOM, this must be via Locality. It is aided by a grant paid directly from locality to AECOM and there will be no cost to the Parish Council if the technical assistance application is approved. The Clerk had already submitted an expression of interest which was accepted, and he would now complete the necessary technical assistance application following this meeting. Note that the correct terminology is Design Codes not Design Guides.

**7.2** NAPC's Section 14 Consultation Responses – Meeting to resolve with NP Co-ordinator Mr Proudlove. Link to the [Section 14 Responses File including Cheshire East's response.](#) The Clerk was experiencing significant difficulty in contacting Mr Proudlove to arrange a meeting but would continue with this. Mr. Proudlove had, however, responded by text advising that he was working on these and applying them to the current Plan. The Clerk will produce a summary and circulate them. The Clerk also advised that a statement of these responses, and how they were being addressed, would have to accompany the Inspector Version of the Plan.

## 8. Parish Hall Renovation Progress

8.1 The Draft Community Consultation regarding the potential to apply for a Public Works Loans Board loan was considered. The Current PWLB rates/loan periods for £200k and £250K were attached as **Enclosure 1 in the Agenda Documents Pack**. The Final decision on the text of the consultation would be taken at a proposed extra Council meeting at 6.30pm on the evening of 15<sup>th</sup> August when tender costs would be known, and all members would be present. The Clerk would provide a recording of tonight's meeting for the two Councillors who could not be present. The reverse side of the consultation document would promote the co-option of two new Councillors.

There was a long debate on this matter and concerns were expressed about the potential amount of the loan and the loan repayment period. These would of course depend on the resultant tender figure, the Council's available capital resources and the level of confidence the tender provided in terms of contingencies to avoid cost overruns. Currently the draft consultation included loan figures of between £250,000 and £300,000 over 30 years. Concern was also expressed about the ability of a renovated Parish Hall to bring in more income than at present and that many people in Nether Alderley had not used its facilities and may not in the future.

The Clerk advised that the Public Works Loans Board was established to fund local authority capital projects and to spread funding of the loan charges over many years. It was also noted that the Parish Council had been saving significant funds each year to build up its capital resources for this project and these annual savings were more than the loan charges. The income from the Hall had also been kept in the JMC's accounts and would in future be in the Parish Council's to help to pay these loan charges. The JMC also had savings of circa £18,000 which would help to reduce the amount of loan required.

It was **RESOLVED** to hold an extraordinary Council Meeting by Zoom on Tuesday 15<sup>th</sup> August at 6.30pm when all councillors would be present and tender figures would be known.

**Proposed Cllr Gleave Seconded Cllr Clarke**

8.2 VAT Options - Summary from Steve Parkinson. (**Documents 2 in the Agenda Enclosures Pack**). It was looking increasingly likely that the council would have to be VAT registered. If Cheshire East Council (CEC) would pay contractors directly from the section 106 monies and recover the associated VAT, this would reduce the Parish potential VAT payment and recovery by £32,000, however it would still leave circa £100,000 to be dealt with by the Parish Council. The Clerk was trying to confirm this with the section 106 officer at CEC.

It was proposed that this matter also be debated again at the Extra Council meeting on 15<sup>th</sup> August when tender figures would be known. Mr Parkinson could be advised of these figures, he would then be able to forward his final report.

8.3 Progress with the Heads of Terms and Faculty Application. The Clerk had emailed three solicitors requesting their estimate for Land Registration work and work in drawing up the Heads of Agreement into a legal document. (**Document 3 in the Agenda Enclosures Pack**). The Clerk had already sent documents to the PCC to help with the Faculty Application - **[Link to the Faculty Application Documents](#)** (then click on the photos and docs to view in full definition)

The Clerk advised that Philip Kershaw representing the PCC had made contact with the Faculty Solicitor who had advised that Land Registry could be fraught with delays, and it may be better to rely on the Heads of Agreement made into a legal contract, which had now been agreed with the PCC, and to deal with the land registry and the

ownership of the old school house at a later date. The clerk also advised that ownership of assets was not an issue with the Public Works Loans Board, they would not be securing the loan on the Parish Hall as an asset because they have Government powers to recover loan charges, if in default, directly from precept payers.

#### **8.4 Section 106 communication from Judith Cosgrove CEC Section 106 Officer and promised Zoom meeting.**

Dear David

I'm happy to have a quick Zoom meeting and can propose some dates for next week. Leave it with me and I'll come back to you.

In brief, the monies are held by CEBC and upon completion of the works, these will be reimbursed to you using the s106 sum.

In the meantime, could you please send through relevant extracts of the s106 together with a detailed proposal of the works so that we can check it's all policy compliant and meets the requirements of the Legal obligation(s).

*We will also need to raise a Purchase Order Number (PON) in the name of the Parish Council (it'll also be simpler as you'll already be set up as a supplier), so that upon completion of the project you will invoice the Council on behalf of the Contractor(s) so that the total amount can be reimbursed. Both the Parish Council and CEBC needs to be satisfied that the works comply with the terms of the s106 Agreement in order that the final payment can be made.*

Could you please contact the Council's Finance Team – Clare Nicholls or Samantha Oakden to enquire about the VAT.

As you will be aware, the final invoice must be in PDF format and include details of the works and most importantly the PON.

The Clerk will respond to her requests, contact the Finance Team, and advise of the ZOOM date.

The Clerk also advised that he felt that this section of the advice in blue may be wrong, and contractors can be set up to invoice CEC direct, as happened at Bollington. He would clarify that with Clare or Samantha at CEC now that we have a contractor.

## **9. Fund Raising Matters**

**9.1** Chell Perkins was asked to assist with the content of a letter to potential funders and assist with identifying suitable local funders. They had sent a summary document of organisations the Parish Council (PC) could contact. However, the PC may find it difficult to succeed because it was not a registered charity and funders wished to target areas of deprivation. Nether Alderley was in the 20-30% band of least deprived areas in the Country. They felt we should focus on the heritage aspects of the Parish Hall and its adaption for modern usage and the summary provided some useful contacts such as Historic England for the lime pointing. The organisations on the list would be contracted.

**9.2** The Clerk's Cheshire Community Action (CCA) discussions – CCA will carry out a search on our behalf for suitable grants to apply for. There had been no response yet, but it was likely to be disappointing because of our lack of charitable status.

## 10. The Unity Trust Bank Account and Bank Reconciliations of all NAPC Bank Accounts.

10.1 The Clerk advised that Cllr Signatories needed to register with Unity Trust for on-line banking. They will have had a registration letter from the bank.

10.2 A reconciliation of all was banks was ([Document 4 in the Agenda Enclosures Pack](#))

## 11. Finance Schedule (Appendix A)

11.1 To note receipt of income, as listed in schedule (A1)  
**Proposed Cllr Joseph Gleave Seconded Cllr Wilkinson**

11.2 To approve items for payments as listed in schedule (A2)  
**Proposed Cllr Gleave Seconded Cllr Wilkinson**

11.3 To approve direct debit/standing order as listed in schedule (A3)  
**Proposed Cllr Clarke Seconded Cllr Joseph**

11.4 To consider and approve the Clerk's expenses as listed in schedule (A4)  
**Proposed Cllr Gleave Seconded Cllr Clarke**

## 12. Planning Applications

Application No:	<a href="#">23/2530T</a>
Proposal:	T3 Beech crown lift to 4 metres T4 Beech reduce the two main lowest laterals on the property side by 2 - 2.5 metres. T5 Beech reduce the 4 lowest limbs by 2 - 2.5 metres. T10 Oak limb reduce the limb by 2.5 metre. T13 Silver Birch reduce the two main sections of the tree in height by 4 metres. T24 Sycamore poorly attached limb on the property side with cavity at base. remove limb.
Location:	1, Maisterson Drive, Nether Alderley, SK10 4HN
Decision Target Date	28 <sup>th</sup> August 2023
NAPC Response	The Parish Council has no objection to this application

Application No:	<a href="#">23/2523M</a>
Proposal:	Non-material amendment to application <a href="#">20/1970M</a>
Location:	Walled Garden and Kitchen Garden, Alderley Park, Congleton Road, Nether Alderley, SK10 4TF
Response Deadline	2 <sup>nd</sup> August 2023
NAPC Response	The Parish Council has no objection to this application

Application No:	<a href="#">23/2598M</a>
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Proposal:	Removal of existing single garage to side. Erection of single storey side extension with open porch to front elevation.
Location:	4, Welsh Row, Nether Alderley, Cheshire, SK10 4TY
Response Deadline	1 <sup>st</sup> August 2023
NAPC Response	The Parish Council has no objection to this application

Application No:	<a href="#">23/2703T</a>
Proposal:	Planning application to reduce two dominant oak trees that have TPOs on them
Location:	3, Vale Crescent, Nether Alderley, Sk10 4lu
Decision Target Date	10 <sup>th</sup> September 2023 x
NAPC Response	The Parish Council has no objection to this application

Application No:	<a href="#">23/2213M</a>
Proposal:	Provision of two parking areas and three fishing cabins. Retrospective permission for erection of fencing.
Location:	Fishing Lake, Bollington Lane, Nether Alderley
Decision Target Date	6th September 2023
NAPC Response	<p>The Parish Council objects strongly to this application. What is being proposed is in essence three two-bedroom holiday rentals with bathroom lounge/kitchen and external decking. They will probably be used very little by dedicated fishermen or fisherwomen and in due course may be used to secure further development on this land. Fishing tends to be a sport which has very little impact on the environment and on local people and does not change the character of the area. This application is very likely to have that impact. The access road is also very narrow with passing places. Also, the proposed allocated parking provision is on the other side of the lake and is not by any reasonable measure near to the proposed lodges which will mean that lodge users will park wherever they can near the lodges.</p> <p>The Parish Council notes that lots of nearby residents have objected on the same grounds and refer to ugly Heras fencing which is totally out of keeping with the area. The Parish Council would like this fencing to be referred to planning enforcement.</p> <p>In conclusion, in the opinion of the Parish Council, this application does not stack up to what is really being proposed and is potentially a lead into some further development in the future. As such it should be refused.</p>

Application No:	<a href="#">23/2660M</a>
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Proposal	Erection of 2 no. dwellings with associated works (Planning Permission in Principle Stage 2 Technical Details Consent)
Location	Land adjacent to The Stables, Welsh Row, Nether Alderley, SK10 4TY
Response Deadline	16 <sup>th</sup> August 2023
NAPC Response	The Parish Council has no objection to this application

Application No:	<a href="#">23/2643D</a>
Proposal	Discharge of condition 8b of existing permission <a href="#">20/3208M</a> ; Extension to ground and lower ground floor, provision of two outbuildings and associated landscaping.
Location	Bewdley, Congleton Road, Alderley Edge, Wilmslow, Cheshire, SK9 7AL
Response Deadline	15th August 2023
NAPC Response	The Parish Council has no objection to this application

Application No:	<a href="#">23/2690T</a>
Proposal	The tree is a large Copper Beech within the woodland to the rear of number 3 Asquith Grove at Alderley Park. a whole crown reduction by height by 3 metres horizontally and 4 metres laterally.
Location	Alderley Park, Congleton Road, Nether Alderley, Macclesfield, Cheshire, SK10 4TG
Response Deadline	15 <sup>th</sup> August 2023
NAPC Response	The Parish Council has no objection to this application

The following Application was on the July Meeting Agenda and the applicant attended. After a meeting on site with CEC Planning Office Emma Fairhurst as part of the householder application she requested him to submit an alteration and provide a listed Building Consent application due to the proximity of the listed gates. He has now done this in the application below. The applicant may again attend the meeting. He would like to press on before winter arrives.

Application No:	<a href="#">23/2906M</a>
Proposal	Listed Building Consent for Refurbishment of Eagle Lodge including restoration of original lodge building, selective demolition of existing structures and erection of single storey living accommodation extension, creation of car parking spaces, landscaping works and associated boundary treatments.
Location	Eagle Lodge, Congleton Road, Nether Alderley, Macclesfield, Cheshire, SK10 4TD

Response Deadline	30 <sup>th</sup> August
NAPC Response	The Parish Council has no objection to this application

Application No:	223518M APPEAL NOTICE
Proposal	Retention of existing carport - Appeal against the refusal of the above planning application or failure to discharge one or more of the conditions
Location	Ruthven, Sand Lane, Nether Alderley, Macclesfield,
Response to the Planning Inspector Deadline	24 <sup>th</sup> August (4 weeks from the appeal start Date of 27 <sup>th</sup> July)
NAPC Response	The Parish Council had already objected to this application in the fullest terms and had nothing further to add.
<b>A copy of the appeal letter is Document 7 in the Agenda Enclosures Pack</b>	

### 13. To consider any other Planning matters including decisions to Planning Applications:

#### **23/0286M Approved with conditions**

Decision Date: 13<sup>th</sup> July

The Warren, Heawood Hall, Congleton Road, Nether Alderley, Cheshire, SK10 4TN

Variation of condition 2 (approved plans) on application **21/6403M** - Demolition of existing house and erection of replacement dwelling

#### **22/1498M Negative certificate**

Decision Date 13<sup>th</sup> July 2023

Netherfield House, Nursery Lane, Nether Alderley, Macclesfield, Cheshire, SK10 4TX

Certificate of lawful development for proposed single storey annexe ancillary to dwellinghouse.

#### **23/2164D Approved**

Decision Made 19<sup>th</sup> July 2023

Soss Moss House, Nursery Lane, Nether Alderley, SK10 4TXT8

Discharge of Conditions 04 (existing and proposed ground levels) and 05 (no dig hard surface construction specification) on application 22/3537M - Replacement of existing dwelling and associated landscaping works.

#### **22/5055M Approved with conditions**

Decision Date 20<sup>th</sup> July 2023

Corbishley Farm, Nursery Lane, Nether Alderley, SK10 4TX

Restoration of existing barn following storm damage including reconstruction of part of the roof and some walls.

#### **23/0908M Approved with conditions**

Decision Date 21<sup>st</sup> July 2023

4, Pavilion Drive, Nether Alderley, SK10 4YU

Proposed single-storey rear kitchen extension.

#### **23/2267T Consent for wrks in TPO with conditions**

Decision Date 26<sup>th</sup> July 2023

Alderley Mill Cottage, Congleton Road, Nether Alderley, Macclesfield, Cheshire, SK10 4TW  
Beech Tree - Fell

**14. Terrorism (Protection of Premises) Draft Bill – Potential involvement of Parish Councils in relation to Parish Halls - Response from Cheshire Community Action (Document 5 in the Agenda Enclosures Pack)**

The Clerk advised that this Bill was in its early stages and the National Association of Local Councils was being very active in trying to protect Parish Councils the onerous provisions of having someone appropriately trained from the Parish Council at hirings of their parish hall. It was likely to be the subject of significant changes during its passage to being an Act of Parliament.

**15. Cheshire East Council - Survey Regarding Criteria to be Used to prioritize future bus Support (Document 6 in the Agenda Enclosures Pack).** The Clerk's response was supported and **is attached.**

**16 Update from Cheshire East Ward Councillor Anthony Harrison**

Cllr Harrison Reported the following:

- He had been ward councillor for three months and had visited all primary schools in the three Chelford wards.
- The Headteacher, Richard Craven, of Nether Alderley primary school had provided him with a tour of the school and had raised the issue of the unadopted Lane at the side of the school. Historically, residents had cared for the Lane past the school and Cheshire East the Lane up to the school, but only on an ad hoc basis. Cllr. Harrison was trying to get Cheshire East to adopt the lane. If not, he was prepared to use some of his Cheshire East Councillor's £6000 allowance to do work on the road.
- He had visited Alderley Park several times and attended the Symphony Park presentation regarding the proposed flats which had been refused by Cheshire East Council and objected to by Nether Alderley Parish Council. It was inevitable that the developers would come back with a further planning application this time for 139 flats and would probably appeal if the application was refused again.
- He had also been advised that Alderley Park had submitted a planning application for solar panels on all their major commercial buildings. He didn't think this would cause any issues.
- He had met the new PCSO several times and we were all receiving reports again. He had also met with the Crime Commissioner to talk about rural speeding which Cllr Harrison rated as a serious issue. This chimed with the views of the Parish Council. He was looking at average speed cameras in Chelford, and to use speed monitors to identify other locations.
- All the potholes on Congleton Road had been reported. The Clerk also mentioned the fencing on Melrose way which was falling and looked very unsightly. Cllr Joseph advised that she thought that it was designed to rot and collapse over time as the vegetation grew.
- He mentioned the Bollington Lane Fishing Lodges development and was visiting more local residents to urge them to submit comments on the application.
- He was trying to get Cheshire East to reinstate the Armed Forces and Veteran Concessionary Gym Membership and was working with some of the officers to

ensure they had an Armed Forces Policy and Strategy; this would be included within the next 4-year Corporate Plan from 2024 onwards. It would help them to achieve an Armed Forces Gold Award.

- Next year is the 80th anniversary of D Day and ChALC is pushing local commemorations. Peover Hall and the Bells of Peover public house played a big part in D Day. Paton's Army was based at Peover Hall, and Churchill, Paton and Eisenhower met at The Bells of Peover. Cllr Harrison was hoping to have a blue plaque installed at the Bells of Peover and a lectern telling the D Day story at Peover Hall. Potentially there may be commemorative parachute jump at Tatton Park.
- He also intended to fill in the gaps in the local daffodil planting.

**17. Councillors may use this opportunity to report minor matters of information not included elsewhere on the agenda and to raise items for future agendas (not for debate or decision making).**

**17.1** The Chairman raised, on Cllr Linnell's behalf, that Alderley Park were apparently not scheduling liaison meetings and were not responding to emails about this. Cllr Harrison would make enquiries during the invite he has received to tour the site.

**17.2** Cllr Harrison was asked to try and reinstate the winter gritting on Artists Lane.

**17.3** Speeding. Cheshire East was producing a new speeding policy.

**18 To confirm the next Council meeting is:**

**Tuesday 12<sup>th</sup> September 2023**

**6.30pm at Nether Alderley Parish Hall**

## APPENDIX A

### Alderley Parish Council Meeting Tuesday 8<sup>th</sup> August 2023

#### Schedule of Receipts and Payments

##### A1. Receipt of Income - Month of July 2023

###### Current Account

Nil

###### Reserve Account.

£28.24 Interest 31<sup>st</sup> July 2023

Unity Trust Savings Account £20,000 transfer from Current Account (Ch No.1686 July Council)

##### A2. Invoices for payment

Ch. No.	Provider	Total Cost	Net of VAT	Service Provided	VAT	Power
Ch 1692	David Naylor Parish Clerk	£660.91	£651.43	Clerks Salary and Expenses July August payment	£9.48	H
1693	HMRC	£383.33	£383.33	Tax/NI for July August Payment	£0.00	H

##### A3. Direct Debits/Standing Orders for approval

Provider	Total Cost	Net of VAT	Service Provided	VAT	Power
REFUND Utility Warehouse	£-248.41	NA	Refund for over payment	NA	E F G

**Note:** EDF Energy has supplied the Parish Hall Electricity from 7<sup>th</sup> July and their Direct Debit payment will be reported to the September Council Meeting. There may be a small residual payment to Utility Warehouse due to the transfer timing, but the Clerk has full meter readings and photos of the meters to validate any residual bill.

##### A4. Approval to forward to Payroll provider for inclusion in Payroll Report for Clerk's expenses/salary: Power H

Travel 102 miles @ 45 pence per mile = £45.90

Amazon Business Paper Towels for Parish Hall £17.38 plus 3.48 VAT = £20.86

Non reflective Glass Sheet for photographing 1908 Deed of Gift from Lord Stanley of Parish Hall £20.83 plus £4 17 VAT = £25.00

Stamps £8.80 no VAT = £8.80

Disinfectant for Parish Hall Toilets £5.40 no VAT = £5.40

Phone Sim monthly £9.17 plus £1.83 VAT = £11.00

**Total Expenses £81.33 plus £8.16 VAT = £116.96**

Plus, Salary - Contracted 65 hours @ 13.95 per hour = £906.75 (Gross)

**Total Gross** including expenses = £1,023.71

**Total Less Tax** of £362.80 = £660.91 (£651.43 plus 9.48 VAT)

Signed.....

**Chairman of Meeting**

Signed.....

**Clerk and Responsible Financial Officer**

DRAFT

## **Parish Council Powers for Expenditure and Activity**

### **Note that the Parish Council has adopted the Power of Competence**

#### **Audit**

[Audit Regulations 1996]

I

#### **Benches**

Power to provide and maintain roadside seats and shelters [Parish Councils Act 1957, s.1]

K

#### **Burial Grounds, Cemeteries and Crematoria**

Power to acquire, provide and maintain [Open Spaces Act 1906, ss9 and 10]

A

#### **Power to agree to maintain monuments and memorials**

Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970, s.1

B

#### **Power to provide and maintain and Power to contribute towards expenses of cemeteries**

Local Government Act 1972, s.214

Local Authorities Cemeteries Order 1977 (no 204) C1 Memorials (16 (1) (a) and 16 2 (b))

C

#### **Bus Shelters**

Power to provide and maintain shelters

Local Government (Miscellaneous Provisions) Act 1953, s.4

Parish Councils Act 1957, s.1

D

#### **Crime prevention**

Local Government and Rating Act 1997 s31, Crime and Disorder Act 2000

Q

#### **Community Centres**

Power to provide and equip community buildings [Local Government Act 1972, s.133]

E

Power to provide buildings for clubs having athletic, social or educational objectives

Local Government (Miscellaneous Provisions) Act 1976 s.19

F

Power to provide a range of recreational facilities [Local Government (Misc Provisions) Act 1975 s19]

G

#### **General Administration/Running Costs**

Subsidiary powers of local authorities – to facilitate, or conducive or incidental to, the discharge of functions  
LGA 1972 s111

H

Parish Hall – public meetings

K

1. LGA 1972 s 142 “ arrange for the delivery of lectures and addresses and the holding of discussions on such matters - provision of information etc relating to matters affecting local government
2. s133 ‘Power to provide buildings for public meetings and assemblies or contribute towards the expenses of providing such buildings’
3. LGA 1972 S111

**Litter bins** Provision of litter bins [Litter Act 1983, ss 5, 6]

L

**Neighbourhood Plans** [Localism Act 2011 Sch 9]

R

#### **Research and collection of information**

Power to carry out research [LGA 1972 S 141]

M

**Parish Plans** [LGA 1972 S 141]

J

#### **Section 137**

N

Local Government Act 1972. Power of Local Authorities to incur expenditure for certain purposes not otherwise authorised. Power to do something that will benefit the community where there is no other specific power covering the action; Set at £8.12 per elector in 2019/20. Expenditure must be commensurate with the benefit.

**Websites** Local Government Act 1972 s142

P

**Life-saving appliances** – Power to provide life-saving appliances (e.g. life belts, defibrillators)

S