

**Nether Alderley
Parish Council**

Enclosures

1-7

Council Meeting

8th August 2023

DOCUMENT 1

Dear Resident of Nether Alderley,

An update from Nether Alderley Parish Council (NAPC) regarding the Parish Hall Refurbishment Project.

The Hall, was gifted to NAPC in 1908 by Lord Stanley with the stipulation that "...*The Council will forever hereafter keep and maintain the said building and premises in a good and proper state of repair.*" It is now in need of significant remedial work to ensure the building is watertight, weatherproof, and safe.

Repairs to the roof, strengthening of first floor timbers and repairs to external walls are all urgently needed.

We have planning approval and the blessing of English Heritage for a scheme which will enable us to reconfigure part of the Hall, harmonise all ground floor levels, provide much needed storage, replace a totally inefficient heating system with a hydrogen ready gas boiler and underfloor heating as well as disabled toilet and baby changing facilities. All of which will ensure the hall is a much-improved asset for our community in the long term.

The Council already have £xxxxx set aside for the project made up from Section 106 & CIL monies (from developments at Alderley Park), money set aside by the Council from the precept, generous donations from friends and residents and a grant from Alderley Edge Institute. However, for a variety of factors, including the project being put on hold during Covid, the rise in inflation, increased building costs, and limited success in raising money through grant making bodies mean that the current projected cost is likely to be significantly more than we presently have available.

We have recently sent out a request for tenders to a number of contractors to obtain a precise figure, but we anticipate it will be in the region of £650,000. Therefore, the Parish Council has agreed, in principle, to take advantage of a low interest rate loan from the Public Works Loan Board (PWLB) to make up the shortfall. Loans are fixed for the life of the loan and the amount requested will depend on the result of the tendering process. The loan will be subject to Government approval and public support.

For Example: (figures to be added)

If NAPC borrows £xxx @ xx% (PWLB rate for today), fixed for x years then the annual repayment will be £xxxx.xx.

To reassure all residents, taking out this loan will not increase Nether Alderley`s precept this year or in future years because it was raised several years ago to save for the project and that increase delivers a surplus each year which is significantly more that the annual loan charges.

In addition, the Parish Council will continue with its fund-raising activities, including applying for grants and, where possible, will pay off more sums off from the Public Works Loan as and when we are able.

You do not need to do anything but if you would like any more information, or have any concerns about this plan, please contact the Parish Clerk David Naylor, clerk.napc@gmail.com

Angela Farrell
Chair Nether Alderley Parish Council

**We are currently looking to fill the two remaining vacant seats
on the Parish Council.**

If you are interested in joining us then please contact our Parish Clerk, David
Naylor clerk.napc@gmail.com

Tel 07717 244537

To find out about what being a Parish Councillor involves then why not have a
look at the www.nalc.gov.uk website where you can download a copy of `The
Good Councillor Guide

**CALLING ALL
COMMUNITY HEROES**



**Your Local Council
NEEDS YOU!**

**MAKE A CHANGE
BECOME A COUNCILLOR**

DOCUMENT 2



Mr David Naylor Clerk
Parish Clerk
Nether Alderley Parish Council
26 Barnside Way
Tytherington
Macclesfield
Cheshire
SK10 2TZ

The Parkinson Partnership LLP
Wessex House
Upper Market Street
Eastleigh SO50 9FD

steve@parkinsonpartnership.uk
www.parkinsonpartnership.uk
Telephone 023 8218 2318

21 July 2023

Dear David,

You engaged the Parkinson Partnership LLP to provide VAT advisory services to Nether Alderley Parish Council concerning its plans to refurbish and extend the Parish Hall.

Following a meeting by Zoom on 19 July 23 we agreed to provide a brief summary for the benefit of councillors at the August 2023 Parish Council Meeting. A formal report will follow, setting out the relevant issues and recommendations in full.

We have advised that the council will incur VAT in the region of £130,000 on the planned building costs of £660k, and more if works exceed this sum. The council will want to recover this VAT if possible.

Exempt business activities

The council plans to use the Parish Hall in future to make exempt business supplies of room hire, and possibly also a lease of the upper room to a local business (also exempt). Whilst no VAT is chargeable on income for exempt activities, councils cannot reclaim VAT on related costs unless the total amount in a year is under £7,500. Clearly this threshold will be exceeded by the planned works, and so the council will be unable to reclaim any of the VAT on project costs unless it makes changes to its current plans.

The council has already incurred professional costs on the project in the year ending March 2023, and is seeking to reclaim this VAT. Since the net value of these costs is under £20k, the related VAT will be substantially under the threshold of £7,500 and can be safely reclaimed.

The council has two options that will enable it to reclaim VAT on the works – using the option to tax, or leasing the building to a third party on a peppercorn or £1 lease.

Option to tax

The option to tax means that the council makes a formal decision that any future use (e.g. hire, lease or sale) of the Parish Hall will be subject to VAT at the standard-rate. This is done by means of a written notification to HMRC and entails registering for VAT.

The option to tax re-categorises all previously-exempt income as taxable business income, and gives a full right to recover VAT not only on the planned building works and associated costs, but also on future running and maintenance costs.

The downside of opting to tax is that it must continue for at least 20 years, and all income from the building becomes subject to VAT. This inevitably eats into the council's revenue – 1/6th of all gross income will have to be given to HMRC. In return, the council can reclaim £130,000 VAT and does not have to spend its funds on paying irrecoverable VAT.

This solution is generally a good option where councils want to run a facility in-house, and do not expect to earn a high income from the facility.

Non-business lease – peppercorn or £1

If the council issues a non-business lease to a third party, such as a charity, then it can treat the costs of refurbishment as relating to a non-business activity. Councils can always reclaim VAT on non-business activities.

This allows full recovery of VAT, and it also means that a charity running the Parish Hall will be exempt from business rates. However, it means that a suitable candidate to operate the Parish Hall will have to be available, the council will have to relinquish day-to-day control, and the council will be unable to reclaim VAT on any running or maintenance costs that are funded by the tenant. The lease will need to be in place for at least 10 years, otherwise the council may have to repay some of the VAT that it incurs in the first place.

Conclusion

Our full report will consider and advise on the implications of these options in greater detail. This brief summary of the position does not include recommendations, as these will follow from our detailed analysis and will be provided to the council in time for any key decisions.

Yours sincerely



Steve Parkinson
The Parkinson Partnership LLP

Legal Assistance with Parish Hall Land Registry

The following has been sent by email to each of the listed Solicitors with links to the associated documents to advise/assist us with land registry and the Heads of Agreement etc.

The first two have been suggested by Steve Parkinson as lawyers who are experienced with Parish Council issues.

enquiries@hedleys-solicitors.co.uk

Tel 01372 750100 or 01483 284567

Roger Taylor
Wellers Headleys Law Group
Butler House
Guildford Road,
Great Bookham,
Leatherhead,
Surrey
KT23 4HB

enquiries@surreyhillssolicitors.co.uk

Tel 01306 877592

Ian Davidson
Surrey Hills Solicitors
296 High Street
Dorking
Surrey
RH4 1QT

The third is a Wilmslow company which is top of the list, based predominantly on the reviews collected from clients in the last twelve months on "ReviewSolicitors" and considers a law firm's accreditations, experience, size, notable cases Legal Ombudsman and disciplinary records and other important information.

wilmslow@poolealcock.co.uk

01625 380060
Poole Alcock LLP
Poplar House
12 Manchester Road
Wilmslow
Cheshire
SK9 1BG

The Brief:

Nether Alderley Parish Council would like your company to provide an estimate of cost for legal work regarding the Land Registry title of Nether Alderley Parish Hall which is currently unregistered. This will include a covenant which provides the Parochial Church Council of St Mary's Church Nether Alderley with a "say" in any future disposal of the Parish Hall. This will also include the preparation of a legal document between the Parish Council and the PCC based on a Heads of Agreement. Both parties have agreed the wording of this document and wish to have it enshrined in a legally binding document. A copy of the Heads of Agreement can be found in this [link to the associated documents](#). (When you have accessed the link, click on the image or document to open/download it)

Background:

Nether Alderley Parish Hall is an old Grade II* listed building, the oldest part being the Old School House which was built in 1628. St Mary's Church is adjacent to the Hall, and parts of the Church are much older. Lord Stanley was the owner of a large estate which included the Parish Hall and the Church and in 1908 he gifted part of the Hall to the Parish Council. A copy of the deed of gift and other relevant documents and images are in this [link to the associated documents](#). (When you have accessed the link, click on the images or documents to open/download/zoom into them)

It should be noted that this deed of gift requires the Parish Council in essence to maintain it as a Parish Hall in perpetuity.

The plan in the deed of gift excludes the old School House which is not within the green area on the plan. The ownership of the Old School House is therefore inconclusive, but the PCC feel that they may have some ownership rights because it is contemporaneous with parts of the church.

The problem is that the Parish Hall requires significant renovation to make it more disability friendly because the ground floor has three changes in floor levels. Part of the work will be to harmonise these levels and make all ground floor areas wheelchair accessible. Additionally, the current heating system does not create a warm and welcoming space which is supposed to be a given for Parish Halls. Its heating system will be upgraded to provide this, it will also be climate-change friendly in terms of its carbon footprint. The Hall will also have a new entrance and new toilets, including a wheelchair accessible toilet. The first floor will also be brought up to standard to create additional meeting spaces. Because we are dealing with a Grade II* listed building this work must be carried out with great care and sensitivity which results in higher costs.

The total renovation is expected to cost circa £660k plus VAT. The Parish Council has been fortunate in securing almost 2/3rds of this funding from grants Section 106 funding and is consulting its residents about taking out a Public Works Loans Board loan for the remainder. The VAT will be reclaimed, potentially by the Parish Council opting to tax on the Hall. We have taken specialist advice on this.

The problem is the status of the Old School House and this needs to be resolved. The PCC has no wish to join the Parish Council in jointly funding these works, indeed they have funding issues themselves with St Mary's Church. In accordance with the abovementioned Heads of Agreement, they will relinquish any ownership rights they may have over the Old School House in exchange for their continued use of the Hall. They also wish to have the abovementioned covenant registered with the Land Registry even though the deed of gift from Lord Stanley would appear to prevent the Parish Council disposing of the building.

[The Click on this link to the associated documents](#) (When you have accessed the link, click on the images or documents to open/download/zoom in to them). The link also contains photographs and a site plan to enable you to visualise the situation and if you require any further information, please ask. My contact details as Parish Clerk are below.

The PCC needs to make application to the Church Faculty in the Chester Diocese and their solicitor has been sent these documents including the Heads of Agreement. A comment back from them is that the Old School house may still be in the hands of the Lord Stanley Estate. We do have a contact for a descendant.

Conclusion

Our architect and Quantity Surveyor have just issued tenders for the work, and we await the final costs. Time is short and potentially we are applying for a loan, the ownership of the Old School Houser could become an issue and we hope to regularise this with your help.

Perhaps you could advise on the length of time this may take and your estimated cost.

David Naylor Parish Clerk on behalf of Nether Alderley Parish Council 07717 244537

Nether Alderley Parish Council

DOCUMENT 4

Prepared by: David Naylor Clerk RFO
Name and Role (Clerk/RFO etc)

Date: for 8th August 2023

Approved by: _____
Name and Role (RFO/Chair of Finance etc)

Date: _____

	Bank Reconciliation at 08/08/2023		
	Cash in Hand 01/04/2023		161,464.28
	ADD Receipts 01/04/2023 - 08/08/2023		53,039.81
			214,504.09
	SUBTRACT Payments 01/04/2023 - 08/08/2023		32,294.19
A	Cash in Hand 08/08/2023 (per Cash Book)		182,209.90
	Cash in hand per Bank Statements		
	Petty Cash 01/08/2022	0.00	
	Unity Trust Bank Savings Acc. No. 01/08/2023	20,000.00	
	Skipton Building Society 01/08/2023	86,444.03	
	Reserve Account Nat West Acc. No. 01/08/2023	25,138.62	
	Current Account Nat West Acc. No. 01/08/2023	51,671.49	
			183,254.14
	Less unrepresented payments		21,044.24
			162,209.90
	Plus unrepresented receipts		20,000.00
B	Adjusted Bank Balance		182,209.90
	A = B Checks out OK		

Nether Alderley Parish Council
Reserves Balance
at 8th August 2023

<u>Reserve</u>	<u>OpeningBalance</u>	<u>Transfers</u>	<u>Spend</u>	<u>Receipts</u>	<u>CurrentBalance</u>
Capital					
General Reserve (Four Months		20,000.00			20,000.00
Total Capital	0.00	20,000.00			20,000.00
Earmarked					
Insurance Excess		250.00			250.00
Asset Management Contingenc		1,500.00			1,500.00
External Audit Contingency		200.00			200.00
Parish Hall Contingency					0.00
Boundary Signage		2,213.46			2,213.46
Kings Coronation					0.00
Bus Shelter Contingency		1,000.00			1,000.00
Hall Electricity Contingency					0.00
Tree Cutting Contingency		1,000.00			1,000.00
Hall Renovation		130,000.00			130,000.00
Total Earmarked	0.00	136,163.46			136,163.46
TOTAL RESERVE		156,163.46			156,163.46
GENERAL FUND					26,046.44
TOTAL FUNDS					182,209.90

Terrorism (Protection of Premises) Draft Bill

Link to the [Terrorism \(Protection of Premises\) Draft Bill](#)

Action with Communities in Rural England (ACRE) is aware of stories being reported in the media that suggest village halls may face closure due to proposed legislation being referred to as 'Martyn's Law'.

This Bill is being referred to in this way after Martyn Hett, a victim of the Manchester Arena attack in 2017. It is a response to criticism that authorities were not prepared enough to respond to the terrible incident.

The Draft Bill could place a requirement on those responsible for certain venues to consider the threat from terrorism and implement appropriate and proportionate mitigation measures. As the Bill stands, village halls with a capacity of more than 100 people could be subject to the new requirements and could not simply devolve the duty to its hirers.

ACRE is actively working with Government officials to make sure that any requirements resulting from the Bill are proportionate, taking into consideration the capacity of those who manage these public places. We have given evidence to the Home Affairs Select Committee for their pre-legislative review and are bound by the conditions set by the Committee not to make our evidence public until they do so.

Deborah Clarke, ACRE's Village Halls Manager said, "It is incorrect to suggest that thousands of England's village halls will face closure due to the proposed Bill. It has not yet been introduced into Parliament, so its ultimate form and provisions are very likely to change from the current draft. In any case, most village halls are thriving rural community hubs that have survived many challenges (most recently COVID), have had to adapt and will continue to do so successfully. The ACRE Network is here to help volunteers managing these buildings implement any new legal requirements, but these must be meaningful and proportionate".

More information will follow in due course as the Bill passes through the Parliamentary process.

Survey of Criteria to Prioritise Future Bus Support Funding. Cheshire East Council

Introduction

Bus companies are free to operate services on any route which they consider to be commercially viable - costs for these services are covered by the fares collected from passengers or by concessionary travel reimbursement. Bus services that are not seen as commercially viable but still deemed as important to run are supported (part-funded) by the Council.

Cheshire East Council has a budget of £2.4m to spend on such supported bus services. Despite this, there is never enough money to fund all services that residents might wish to access. For this reason, we need to prioritise the bus services that we provide funding to.

The [criteria that we currently use](#) to prioritise bus services was set up in 2011. Since then, there have been changes in the way people use bus services and also changes in what we as a council need to achieve, therefore we need to review the criteria that we currently use. This consultation outlines the [proposed changes to the prioritisation process](#) and seeks opinions on the revised approach.

This consultation is not a review of the current buses operating in Cheshire East, however, if the revised prioritisation criteria is approved it may mean a change to which bus services receive funding when the contracts renew in April 2024.

Please provide your views by **6 August 2023**.

For any queries about this consultation, e.g. if you would like to receive this questionnaire in an alternative format or submit your response in a different way, please email the Research and Consultation team RandC@cheshireeast.gov.uk. If you do not have email access please call Customer Services on 0300 123 55 00 who will send the response on your behalf.

Once the consultation closes we will analyse all responses, produce a summary report, and publish this online on our consultation webpages.

Suggested Response from Nether Alderley Parish Council

- It is important to ensure that there is a network of routes which as far as possible eliminate route duplication. This network should integrate with neighbouring authorities because people travel to work, leisure and medical reasons beyond their home authority.
- The network should link employment, retail, education, medical centres, hospitals, railway stations and airports.
- No home should be more than a certain distance possibly 400 metres from a bus route.
- Cheshire East should use data about car ownership, deprivation and unemployment to ensure the services promote equal opportunity in these areas.
- Rural areas can have significant deprivation and social isolation.
- Town and Parish Councils will probably need to help support local services that pass through their areas but that will increase their precepts.
- The size of the bus for the route its frequency and its average passenger occupancy should be considered.
- The curtailing of evening and weekend services can cause social isolation and have a deleterious effect on the entertainment and hospitality sector.
- For passengers to use bus service they need to have a high level of dependability.
- The future must be more public transport oriented and that needs investment before usage and confidence in the service catches up.

Ref No: 22/3518M

**David Naylor,
Clerk To Nether Alderley Parish Council
26, BARNSIDE WAY
MACCLESFIELD
CHESHIRE
SK10 2TZ**

Development Management
PO Box 606
Municipal Buildings
Earle Street
Crewe
CW1 9HP

Please ask for: **Fiona Reynolds**
E-Mail:
Fiona.reynolds@cheshireeast.gov.uk

Dear Sir/Madam

Date: **03-Aug-2023**

Application No: **22/3518M**
Proposal: **Retention of existing carport**
Location: **RUTHVEN, SAND LANE, NETHER ALDERLEY, MACCLESFIELD,
CHESHIRE, SK10 4TS**
Appeal Start Date: **27-Jul-2023**
Appeal Ref: **APP/R0660/D/23/3320123**

I am writing to advise you that an appeal to the Planning Inspectorate has been lodged against the refusal of the above planning application or our failure to discharge one or more of the conditions.

This appeal will be determined on the basis of written representations. We will make copies of all representations made to us in relation to the application, before it was determined available to the Planning Inspectorate and the appellant. The Inspector appointed by the Secretary of State will consider these representations when determining the appeal. You have a right to withdraw any representations you made so that they are not taken into consideration by the Inspector. If you wish to do so you should make this request in writing directly to the Planning Inspectorate within 4 weeks of the appeal's starting date.

The Planning Inspectorate will publish appeal documentation, including copies of representations received, on the Planning Portal website. All information provided in your representation, including your address, will be published. If you object to publication in this way, please contact the Planning Inspectorate directly at 3P Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or email RT1@planninginspectorate.gov.uk

The Planning Inspectorate aims to deal with appeals which follow the procedure described above within 8 weeks of the appeal starting date. The Planning Inspectorate will publish copies of appeal decisions on the Planning Inspectorate website at <https://acp.planninginspectorate.gov.uk>

Yours faithfully

Fiona Reynolds

**Planning Assistant
Development Management**