

NETHER ALDERLEY PARISH COUNCIL

Minutes of the Parish Council Meeting held on Tuesday 9th January 2024 1.30pm at The Glass House Alderley Park

In the Chair Cllr. Angela Farrell

Parish Councillors present: Lesley Gleave, Dave Clarke, Jackie Wilkinson, Sue Joseph, Geoff Linnell, Marcus Raphael, Melanie Connor.

Also present: David Naylor Parish Council Clerk and Anthony Harrison Cheshire East Council Ward Councillor for Chelford including Nether Alderley.

Members of the Public: No members of the public were present.

1. **To receive apologies for absence.** There were no absences.
2. **To receive Declarations of Interests**
 - 2.1 To declare disclosable pecuniary interests (Councillors with disclosable pecuniary interest(s) must leave the room for the relevant items). There were none.
 - 2.2 To declare interests conflicting with the Nolan principles/non-pecuniary interests. There were none.
 - 2.3 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 approve that the Minutes of the Parish Council Meetings held on 12th December 2023.** The Minutes were approved as a correct record.
5. **To adjourn the meeting for Public Presentation.** No members of the public were present, and the meeting was not adjourned.
6. **Neighbourhood Plan (NP) Progress**
 - 6.1 Update from the Clerk on the Production of Design Codes by AECOM and funded by locality. A representative from Aecom visited and toured the Parish with the Clerk and Chairman on 30th November to take photographs and discuss the project. The Clerk has obtained an OS mapping licence, which is free to local authorities, and which Aecom will use on our behalf. The process will take about three months. Further visits and feedback are expected during January.
 - 6.2 NAPC's Section 14 Consultation Responses – The Clerk and Cllr. Gleave had started work on updating the Neighbourhood Plan with the responses, starting with Cheshire East Council's (CEC's) and will consult CEC's Neighbourhood Planning Team on progress and to clarify any issues. Link to [Section 14 Responses including Cheshire East's response](#). The Clerk had written to the NP co-ordinator, as requested at the November meeting, providing him with a final chance to respond to the Parish Council. This did not receive a response. Cllr Anthony Harrison would email him on a councillor to councillor basis but this had also failed to secure a response.

The Clerk was asked to send him a further letter advising him that the Parish Council would now write to the Leader of his political party at the Borough Council (for which he is a Councillor), The intent was for the Leader to ask him to contact the Nether Alderley Parish Clerk for a conversation about his unfinished business with us.

7. Parish Hall Renovation Progress

7.1 **Third Quarter Budget Statement, Bank Reconciliation, Reserves Balance, and Resources and Costs table for the Hall Renovation.** Projections of income and spending include those expected in January. Renovation costs and resources continued to show more than £50,000 to service cash flow, VAT Recovery, and unexpected costs, with a further £20,000 general reserve. [Enclosure 1 in the Agenda Documents Pack](#)

7.2 **Update on progress with the Heads of Terms and Faculty Application.** The interim Faculty known as List B had been approved for the external pointing and the work began in late November and would continue in January subject to the weather. The Main Faculty List A was considered by the Chester Diocese Faculty on 24th November. Their meeting recommended approval subject to the final version of the legal agreement between the Parish Council (PC) and St Mary's Church Parochial Church Council (PCC) being sent to the Chester Faculty. It did not need to go to an additional Faculty meeting and as soon as it was received the 30-day publication period could start followed by consideration by the Registrar and Chancellor. Following this, approval could be given or more clarification could be sought by them."

The "ball has been in the court" of the PC and PCC to get these final documents to the Faculty.

Despite the contract, drawn up by the PC's solicitor, having already been agreed by the PC and PCC, at the very last minute the PCC appointed their own solicitor who insisted that he needed to liaise with the PC's solicitor. This was in relation to the PCC's view that they owned part of the Parish Hall i.e. The Old School House. This had already been thrashed out in the agreed draft contract by a promised Land Registry application and a deed of covenant protecting the PCC's future use of the Parish Hall and providing them with a legal veto on any future disposal of the Hall by the PC.

The PC then engaged again with Surrey Hills Solicitors to liaise with the PCC's solicitor. The Clerk also sent to the solicitor copies of all the documents produced when Rev Hale of the PCC attempted to register title to the Old School House in 2017 including copies of documents from County and Church Archives. There appeared to be no evidence of the Church owning this part of the building, but they did show that extensive efforts had been made to establish ownership and would be useful for the subsequent Land Registry Application by the PC.

It was now over 7 weeks that the PC has been waiting for the PCC's solicitor to respond to Surrey Hills and approve the Agreement. This was despite requests to the PCC to help to move this forward. This delay was both very disappointing and worrying. B & E Boys, the PC's Hall renovation contractor, was expecting the tender contract to be signed and had now provided a deadline of 19th January otherwise they may have to revise the tender cost. The amount was unspecified but could be an increase of between 2.5% and 5% (£14,750 - £29,500). This additional cost would eat into the PC's prudent reserve to handle its cash flow between tender cost payments and the recovery of its VAT. Pressure is continuing on the PCC to ensure that this requested document is sent to the Faculty as soon as possible. The Chairman has contacted the Rector to help to move this forward.

A meeting would be arranged with B & E Boys to discuss the matter. They had a 5- week lead-in period with their sub-contractors once the tender contract had been signed. If the increase in cost was too much for the Parish Council to accommodate there would have to be savings found from within the project.

The Chairman would pursue a meeting with the Rector as soon as possible and the Clerk would attend. The Clerk would also contact the Faculty to ask them to expedite the 30 days as soon as the requested agreement had been sent to the Faculty.

A debate took place about lessons learned.

it was noted that no work could start without Faculty approval either on the former Old School House or the rest of the Parish Hall, either externally or internally. Starting work would be

illegal. The PCC also had to be “on side” otherwise Faculty approval would not be granted. The Faculty had been asked to separate the renovation from the Hall ownership issues and to deal with the ownership as a second phase but they had not responded. The project had been going on for some time, but it was only last year when the PC had assembled all the finance. It was known that Faculty approval would take a few months, but it had been secured subject to the submission of the signed agreement which was approved by the PCC on the 27th October. The delays since then have been totally outside the Parish Council’s control.

[Enclosure 2 \(for Councillors only\) in the Agenda Documents Pack.](#)

8. Tax Base Notification April 2024 – March 2025

Following the December Council meeting a decision was taken (Minute 9) to keep the precept at £90.08. With the small increase in the tax base from £659.55 in 2023/24 to £662.32 in 2024/25 this will bring in £59,662 in 2024/25 compared with £59,412 in 2023/24.

Payment of precepts to Town, Parish Councils will be paid 50% on 30th April and the remaining 50% by 30th September. A copy of the approved Precept Request to CEC to meet their 12th January deadline had been sent by the Clerk and was attached.

[Enclosure 3 in the Agenda Documents Pack](#)

9. Letter to EDF Energy concerning a catalogue of errors and delays in rectifying the Parish Hall’s electricity meterage and accurate billing. A third replacement electricity meter was awaited from EDF.

[Enclosure 4 in the Agenda Documents Pack](#)

10. Fund Raising Matters

Opportunities for applying for small-scale grants were still being looked for.

11. Finance Schedule (Appendix A)

11.1 To note receipt of income, as listed in schedule (A1)

Proposed Cllr. Linnell **Seconded** Cllr Wilkinson

11.2 To approve items for payments as listed in schedule (A2)

Proposed Cllr Clarke **Seconded** Wilkinson

11.3 To approve direct debit/standing order as listed in schedule (A3)

Proposed Cllr Connor **Seconded** Cllr. Clarke

11.4 To consider and approve the Clerk’s expenses as listed in schedule (A4)

Proposed Cllr. Linnell **Seconded** Cllr. Clarke.

12. Planning Applications

Application No:	23/4715D
Proposal:	Discharge of conditions 4, 8, 10 & 15 of existing permission 23/2048M Refurbishment of Eagle Lodge to include demolition of the existing extensions, development of a single storey rear extension and installation of a flue pipe and air source heat pump.
Location:	Eagle Lodge, Congleton Road, Nether Alderley, Macclesfield, Cheshire, SK10 4TD
Response Deadline	10 th January 2024
NAPC Response	No Objection

Application No:	23/3973M
Proposal:	Variation of Condition 2 (plans) of planning permission granted under 21/5719M – ‘Variation of conditions 2, 5 and 10 on application 21/2628M - Replacement dwelling’
Location:	Sandle heath farm, bollington lane, nether alderley, macclesfield, cheshire, SK10 4TB
Response Deadline	7 th February 2024
NAPC Response	No Objection

The following Planning Appeal was notified to the Parish Council after the meeting summons.	
Application No:	23/2947M
Proposal:	Permission in principle for one infill dwelling and associated works
Location:	Land at Roseleigh, Welsh Row, Nether Alderley, SK10 4TY
Response Deadline	Invitation to comment on the appeal on the Planning Portal at https://acp.planninginspectorate.gov.uk or, by letter in triplicate to: The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN quoting the Appeal Reference APP/R0660/W/23/3333320. Response Deadline: 22-Feb-2024 (Comments must be submitted within 5 weeks of the Appeal Start Date of 18-Jan-2024. Comments received after the deadline will not normally be seen by the Inspector and will be returned).
NAPC Response	Already submitted comment by the Parish at the application stage: <i>to ask that the concerns of the two neighbours be taken into account in determining this application and if it is approved, conditions be applied preventing contractor's vehicles parking on Welsh Row and also hours of operation are imposed to prevent nuisance to neighbours.</i> Since then the Council has received many comments about parking on Welsh Row when development work is taking place. It is a narrow lane at the best of times but with vans, lorries and cars parked haphazardly it becomes a nightmare. This should be emphasised by a submission to this appeal.

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

There were no decisions reported on CEC's Planning List 2351 (4th January). All on previous planning lists have been on previous Council agendas. There were also no items on Planning List 2352 published on Monday 8th January.

14. Symphony Park - preparation for the Application being considered by CEC's Strategic Planning Board. Potentially 31st January 2024

Application [23/3619M](#) Resubmission of Application [22/2819M](#)

[Enclosure 5 in the Agenda Documents Pack – NAPC's Comments to CEC](#)

There was significant debate about the content of the PC's objection statement.

Cllr Linnell would represent the Parish Council.

- The capacity of the Medical Practice in Alderley Edge could be an issue given that the on-site medical facility appeared to have been omitted from the development and even if included the 100s of residents would have to be registered with a practice. Cllr. Raphael would contact the practice.
- The capacity and frequency of the 130- bus service.

- Lack of retail shopping on site – sustainability.
- We should evidence everything that is put forward by the Parish Council
- Take out emotive words like brutal architecture.
- Say what we mean by over development, massing and scale.
- Look at the original planning application to confirm what it said about the number of houses on this site and what the people on Morris Drive were told would be built.
- Cllr Raphael had been looking at all the against submissions published on CEC's planning website. The most common were loss of privacy, loss of light, accessibility issues, overdevelopment, increased traffic, road access and devaluation of local property. Wildlife was also important but may not be a factor that will be fully considered.
- Also, he mentioned that there were a significant number of pro comments submitted after the planning response deadline and many of these were from people who did not live in Nether Alderley. These were continuing. A debate followed about the meaning of the word "deadline". If this was a planning appeal such a deadline would mean just that.
- It was accepted that because of the volume of responses it would take time for CEC to post them on their site. However, those dated by responders showed that many had been posted well after the deadline. This appeared to be a failure of due process.
- The point was also made that if the application was to be approved the Parish Council should be ready to identify what community benefits should be forthcoming such as a retail shop and identify other issues promised within the 2015 umbrella agreement.

15. Appointment of Cllr responsible for NAPC Asset Inspections.

Annual inspection of Bus Stop Shelters, Benches etc. It was **Resolved** to appoint Cllr Melanie Connor to this role.

Proposed Cllr. Farrell **Seconded** Cllr Gleave

16. PCSO Report

This was accepted and its contents noted. There was only one issue for Nether Alderley. It was decided to invite the PCSO to a future meeting.

[Enclosure 6 in the Agenda Documents Pack](#)

17. Report from Cheshire East Ward Cllr Anthony Harrison

It has been a busy period over Christmas.

CEC's Strategic Leisure Review, Cllr Harrison has been trying to ensure that the sites with swimming pools (wet sites) are kept open because of the backlog of 2500 children without swimming lessons and he is trying to find other resources to fund them.

The Electoral Commission Boundary Review at Ward Level. CEC has 82 Councillors, which is the right number, but the wards need leveling up in terms of representation and population by combining parishes which have defined history and service links. Cllr. Harrison has recommended that Plumley, Over Peover and Toft remain in the Chelford Ward and Ollerton and Marthall are transferred to the Mobberley Ward. Over Alderley would come into the Chelford Ward. Potentially Henbury could move into the Chelford Ward but there did not seem to be any historic or service links and Cllr Harrison was recommending that it remained in its Macclesfield Ward.

Potholes and Street Lamps. He has reported a lot of potholes and carried out a streetlamp review including unlit bollards. Many have been unlit for many months.

Flooding. There had been a lot of rain and some flooding of the roads, but highways had been quick to respond cleaning gulleys etc.

Councillor Priority Lists. He had reported all the issues on his 2023/24 list and was now working on the 2024/25 list, when he would have a further budget allocation. He asked the PC to inform him of issues which require his attention.

Bollington Lane. A landowner was excavating the site before planning permission was granted. He had reported this to CEC's Planning Enforcement.

D Day Celebration next year June 6th. He had spoken before about the D Day connections with

the owners of the Bells of Peover and Peover Hall and was now taking to the school. It was likely that there would be a barbeque and other events.

Cllr Farrell advised that she was talking to the Church and school about having some events. Cllr Clarke wondered if the Churchill Tree on Alderley Park may wish to host an event and he was asked by Cllr Farrell to contact them to urge them to do this.

18. Councillor Reported Issues at the end of the December Meeting

There was a debate about poor pedestrian access along Congleton Road – pavements were either overgrown and as a result very narrow and dangerous or non-existent. The Clerk showed pictures. He would notify these locations to CEC Highways. Members would also raise the profile of these issues and encourage residents to also lodge complaints to CEC Highways. The Clerk would also create a posting on the NAPC Website. Copies of these photos can be extracted from the following Cloud Storage link.

<https://e.pcloud.link/publink/show?code=kZGkOeZlyWO7OS661HyPOeYq50FQk Jr6KNX>

Lower resolution copies of the pictures are also attached on Pages 996 and 997 of these minutes.

Descriptions of the locations follow below (18.1 & 18.2).

18.2 Anyone leaving the South Entrance of Alderley Park or from the Eagle Gateway to shop at the Garage or go the Indian restaurant had this challenge, as was walking in the other direction towards Alderley Edge and negotiating around the Eagle and Child bend.

18.3 The school buses had been remapped which has witnessed children waiting on grass verges around Monks Heath and having to cross busy roads to reach this point.

19. Councillor's reports and items for the February Agenda .

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 at this meeting).

19.1 Marketing Strategy for the Renovated Parish Hall – Cllr. Gleave and Keith Farrell are prepared to help to develop this and David Fairbottom would also be asked.

19.2 Fund Raising for the Hall and other issues. Cllr Raphael raised the issue of sponsorship on our boundary signs – there would be 5 in total (an extra 3 on the two already provided) It would be possible to add a rectangular sign beneath advertise a prominent local business with their logo. Cllr Raphael also called into the Churchill Tree, and they would be willing to have a regular advert out in our parish newsletter.

19.3 Cllr. Farrel raised the issue that on 25th January at 6 – 7 pm a King's Award for Voluntary Service talk will be given to recognise individuals in local communities who should receive such an award or be invited to a Royal Garden Party. She will listen to the talk. She felt that we did not do enough to recognise such individuals.

19.4 The Clerk raised the issue of the need to develop a local emergency response plan. This would be below CEC's Plan and would assist in communication and secure the contacts of local people in the Community who could assist with help especially if CEC was overwhelmed by a large-scale incident which could delay local help from them.

19.5 CEC's Green Waste Charging Scheme

20 To confirm the next Council meeting is:

**Tuesday 13 February 2024 1.30pm
at The Glass House Alderley Park**

Nether Alderley Parish Council Meeting Tuesday 9th January 2024

Schedule of Receipts and Payments

A1. Receipt of Income - Month of December

Current Account Nil Interest

Reserve Account £29.10

Unity Trust Savings Account Interest is quarterly – 31st December £139.20

Andrew Smith Funeral Director £60.00 for interment of Ashes

A2. Invoices for payment

Ch. No.	Provider	Total Cost	Net of VAT	Service Provided	VAT	Power
1722	David Naylor Parish Clerk	£641.88	£641.88	Clerk's Salary and Expenses for December Payment	£0.00	H
1723	HMRC	£417.90	£417.90	Tax/NI for October for December Payment	£0.00	H

A3. Direct Debits/Standing Orders for approval

Provider	Total Cost	Net of VAT	Service Provided	VAT	Power
EDF Energy See letter to EDF Minute 9		Smart Meter not sending to EDF	EDF visited on 23 rd November to replace their electricity meter because it was not paging through Day, Night & Weekend tariff reading - only providing total KWh. and a total cost. The problem was not fixed and a third new meter is now required. See letter to EDF Minute 9 Enclosure 3 in the Agenda Documents Pack		

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

Travel 76 miles @ 45 pence per mile = £34.20

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

Rymans Paper & Document Clips £4.98 plus £1.00 VAT = £5.98

Postage Charges £7.35 No VAT =£7.35

Total Expenses £55.70 plus £2.83 VAT = £58.53

Salary: Contracted 65 hours @ 14.95 per hour = £971.75 (Gross)

Total Salary Gross including expenses = £1030.28

Total Less Tax of £338.40 = £641.88 (including VAT of £2.83)

Signed.....

Chairman of Meeting

Signed.....

Clerk and Responsible Financial Officer

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) [Public Health Act 1936, s234]

S