

NETHER ALDERLEY PARISH COUNCIL

**Minutes of the Parish Council Meeting
held on Monday 11th January 2021 at 5.30 p.m.
The meeting was accessed remotely via ZOOM**

In the Chair:	Cllr. A.Farrell (Vice-Chair)
Parish Councillors present:	Cllrs. Y.Bentley, D.Clarke, S.Joseph, J.Shufflebottom and J.Wilkinson
Also present:	The Parish Council Clerk

1. **To receive apologies for absence** – Cllrs. M.Asquith, N.Howick and S.Lewis
2. **To receive Declarations of Interests**
 - 2.1 **To Declare Disclosable pecuniary interests** –Cllr. Clarke declared a conflict of interest with item 13. Planning: 20/2672M and left the meeting whilst it was discussed.
 - 2.2 **To Declare interests conflicting with Nolan principles/non-pecuniary interests** – None
 - 2.3 **To allow Councillors to consider amendments required to their Declaration of Pecuniary interest forms** - No amendments were made.
3. **To consider and approve Applications for Dispensations** – Cllr. D.Clarke requested a dispensation regarding items specifically related to Alderley Park re: 9.2 and 13.2.3 and any future related issues. The Parish Council granted a dispensation to participate in any discussion of that business, in the interests of persons living in the Parish of Nether Alderley but not to participate in any vote. The dispensation was granted for a period of 4 years (Jan 2021 – December 2025).
4. **RESOLVED: The Parish Council resolved to approve the minutes of the Nether Alderley Parish Council Meeting held on 14th December 2020 and Nether Alderley Parish Council Extra-ordinary meeting held on 22nd December 2020 are a true and accurate record.**

Proposed: Cllr. A.Farrell *Seconded: Cllr. J.Shufflebottom*
5. **5.35 p.m. Public presentation** – PCSO Julia Short (see Item 9.1)
6. **Meeting resumed**
7. **To exclude the public and press in the public interest for consideration of the following items:**
 - a. Personal issues
 - b. Legal Issues
8. **Current Matters**

To consider and agree actions relating to ongoing matters as follows:

 - 8.1 **Cheshire East update by Ward Councillor** – Cllr. Asquith was not in attendance.
 - 8.2 **Parish Hall renovation update** – Deferred to the February meeting as Cllr. Howick was not in attendance.

- 8.3 **Neighbourhood Plan update** – Deferred to the February meeting as Cllr. Howick was not in attendance.
- 8.4 **Highways Issues** – The meeting of the Highways Working Group which was due on 19th January 2021 is deferred until February 2021 (date to be confirmed).
- 8.5 **Commemorative plaque for circular bench (Sand Lane/Congleton Road) update** – The Clerk reported she has been unable to source the engraved plaque due to the current 'lock down' situation. Councillors confirmed the plaque should be in brass.
- 8.6 **Newsletter** – Councillors are currently gathering articles for the next newsletter which is due to be delivered to all households in Nether Alderley by the end of January 2021.

9. **New Matters**

To consider and agree actions relating to new matters as follows:

- 9.1 **New Funding available from Cheshire Police and Crime Commissioner for Community Safety Projects** – PCSO Julia Short informed Councillors of the new funding available from the PCC (approx. £1,000 per region). A proposal to Highways for additional signage had been rejected due to costs. Therefore, PC Garry Charnock suggested the fairest way for all communities to benefit would be for each Parish Council to bid for a tree(s) and contribute towards any additional costs. Councillors considered the option and agreed to opt out of the scheme due to the financial demands of the forthcoming Parish Hall renovations.
- 9.2 **Alderley Park: Post Box** – Councillors agreed acquiring a new post box is not a Parish Council matter and suggested residents should contact Royal Mail to establish the criteria required,
- 9.3 **Police Report for December 2020** – Noted

10. **Policies and Procedures**

- 10.1 **To receive a report on the quarterly inspection of Highways assets which is due at the end of December 2020 and reported to the Parish Council at the meeting in January 2021** – Deferred to the February meeting as Cllr. Lewis was not in attendance.
- 10.2 **CEC Approval of Taxbase 2021/22** – Cheshire East Council confirmed approval of the Taxbase as 588.64 (electors).
- 10.3 **Review of the Complaints Policy**

RESOLVED: *After due consideration, the Parish Council resolved to approve to continue using the Nether Alderley Parish Council Complaints Policy without amendment.*

Proposed: Cllr. Y.Bentley

Seconded: Cllr. J.Wilkinson

- 10.4 **Nat. West Bank: Parish Council approval to transfer money from the Parish Council's Current Account to the Reserve Account**

RESOLVED: *The Parish Council resolved to approve for the Clerk to transfer £60,000 from Nat. West Bank's Current Account to the Reserve Account. The Clerk will prepare a letter instructing the bank to make the transfer which will be signed by two Councillors.*

Proposed: Cllr. J.Shufflebottom

Seconded: Cllr. S.Joseph

11. **Finance: Finance Schedule (Appendix A)**

- 11.1 **The Parish Council noted receipts of income as listed in schedule (A1)**
- 11.2 **To approve items for payment as listed in schedule (A2)**

RESOLVED: *The Parish Council considered and resolved to approve payments as listed in Appendix A2*

Proposed: Cllr. J.Wilkinson

Seconded: Cllr. J.Shufflebottom

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

RESOLVED: The Parish Council resolved to approve direct debit/standing order as listed in Appendix A3

Proposed: Cllr. J.Wilkinson

Seconded: Cllr. J.Shufflebottom

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

RESOLVED: The Parish Council approved the Clerk's administration and expense amounts to send to the Payroll Provider for inclusion in the Clerk's payroll report.

Proposed: Cllr. J.Wilkinson

Seconded: Cllr. J.Shufflebottom

11.5 To consider and approve the bank reconciliation to 31st December 2020 – Councillors considered and discussed the bank reconciliation at 31st December 2020.

RESOLVED: The Parish Council resolved to approve the bank reconciliation to 31st December 2020 together with analysis of receipts and payments to the current account and the bank statement for current and reserve accounts at 31st December 2020. The Clerk confirmed Cllr. Wilkinson's independent analysis of the bank reconciliation in conjunction with assessment of bank statements/cash book and her confirmation of the accuracy of the figures recorded.

Proposed: Cllr. J.Shufflebottom

Seconded: Cllr. J.Wilkinson

11.6 To consider and approve the comparison of budget headings to receipts and payments at 31st December 2020 – Councillors considered and discussed the comparison of budget headings to receipts and payments at 31st December 2020.

RESOLVED: The Parish Council resolved to approve Cllr. Wilkinson's independent analysis of receipt/payment amounts and accuracy of the figures recorded in comparison with the cash book.

Proposed: Cllr. J.Shufflebottom

Seconded: Cllr. J.Wilkinson

11.7 To consider and approve the proposed Budget for 2021/22

- The majority of income is derived from:
 - CEC Funding for the Parish Council to produce a Neighbourhood Plan. A provisional sum of £3,500 (Part 2) was added to the Neighbourhood Plan which was paid in two instalments (Part 1: 2020/21 £6,500 received).
 - Burial Income which is difficult to predict and is based on the average of previous years' income.
- Existing Budget headings were increased in line with forecast costs to 31.03.21 and the previous year's actual costs
- A provisional sum of £194 was maintained for Payroll Services.
- A provisional sum of £804 was maintained for Stationery, travel and phone
- A provisional sum of £125 was maintained for Other Admin Costs.
- A provisional sum of £2,814 was calculated based on the 2020/21 budget figure due to the Parish Hall remaining closed in line with COVID-19 restrictions from March 2020.
- A provisional sum of £3,000 was maintained for Highways
- A provisional sum of £360 was maintained for Councillor/Clerk courses.
- A provisional sum of £28,696 was added to the Hall Redevelopment in line with forecast costs.
- A provisional sum of £90 was maintained in line with proposed public meetings
- A provisional sum of £500 was reduced from £800 in 2020/21 for the Community Fund.

RESOLVED: The Parish Council resolved to approve the Budget for 2021/22

Proposed: Cllr. A.Farrell

Seconded: Cllr. D.Clarke

- 11.8 To consider and approve the proposed Precept for 2021/22** - Councillors carefully considered and discussed maintaining the Precept due to the forthcoming Parish Hall renovation. The Parish Council agreed that a letter to residents should be prepared by the Chair, informing them of the decision to maintain the Precept.

RESOLVED: The Parish Council resolved to approve the Precept of £53,025 for 2021/22.

Proposed: Cllr. J.Wilkinson

Seconded: Cllr. S.Joseph

12 Correspondence:

To receive and consider new correspondence sent to the Parish Council and agree actions to take in response to the following communication:

- 12.1 CEC Invitation to the Holocaust Memorial Day 2021** – Cllr. Joseph agreed to represent the Parish Council at this event.

13. Planning

13.1 To consider and approve responses to new planning applications:

Application No: 20/2190M - APPEAL

Proposal: Demolition of existing outbuilding and erection of replacement outbuilding for ancillary use, including garaging

Location: BRADFORD LANE FARM, BRADFORD LANE, NETHER ALDERLEY, SK10 4TR

Appeal Start Date: 09-Dec-2020

Appeal Ref: APP/R0660/D/20/3262828

NAPC Comment: Original comment to stand.

Application No: 20/2672M – APPEAL

Location: 1 WATERLOO BARN, Alderley Park, CONGLETON ROAD, NETHER ALDERLEY, SK10 4JW

Proposal: Proposed single storey rear extension to existing residential property

NAPC Comment: Original comment to stand.

Application No: 20/5293M

Proposal: Full planning application for the replacement of existing street lighting with new bollards and lampposts along the linear spine road.

Location: ALDERLEY PARK, CONGLETON ROAD, NETHER ALDERLEY, MACCLESFIELD, CHESHIRE, SK10 4TG

National Grid Ref: 384755.99 375642.17

NAPC Comment: The Parish Council understand that generally the residents on Alderley Park have no objection to the proposed street lighting although they do make the comment that it will not just be the woodland areas that will be affected but dwellings too, as the lighting plan runs all the way down the spine road to the main entrance gates.

Concerns have also been raised on the environmental impact of the extra lighting. We understand that bat and bird boxes have been installed to the residential areas as part of the ecological plan for the park, due to the prevalence of wildlife and we fear that the lighting will have an impact on all wildlife. Please could this be taken into consideration when determining this application.

Residents have also raised concerns (once more), that although they were listed as consultees on the portal they did not receive postal notification on the application and this is becoming a pattern with applications throughout the parish.

Application No: 20/5602M
Proposal: Proposed detached oak frame car port, new entrance gate and external landscaping works
Location: Snowdrop, Bollington Lane, NETHER ALDERLEY, Nether Alderley, SK10 4TB
National Grid Ref: 383786.1 374822.34

NAPC Comment: *The Parish Council have no objections.*

Application No: 20/5638M
Proposal: 1) Reprofilng of land 2) Landscape works to include woodland, tree and hedgerow planting
Location: Land to the rear of Loco-Shed, BOLLINGTON LANE, NETHER ALDERLEY
National Grid Ref: 383286.0207 375218.7586

NAPC Comment: *This application has been “called in” by Ward Councillor Marc Asquith and we are waiting to hear if it has been accepted.*

This application forms 2 parts. Part 2 gives a landscape plan for the introduction of native species and in principle does not cause any concern albeit the scope of works is minimal - but Part 1 does.

History

Over the last 9 months this site has been under investigation by the Enforcement Officer, Paul Douglas. This is a retrospective planning application for the reprofiling of the land which does not deal with the issue of how the levels have been raised.

We estimate that 40,000 tons of spoils have been brought into the site during 2019 and 2020.

These spoils have consisted of rubble, concrete and other materials that have been buried by the developer and then covered and over seeded. Huge holes were dug to help bury the waste material. Both the Enforcement Officer, Paul Douglas and the Planning Officer, Matthew Keen are aware of this and both made many site visits during the course of last summer and documented these facts. We believe they both have photographic evidence to support this.

Enforcement reference 20/00059E

The tipping and bringing in of spoils was unlawful tipping and carried out without any consents or permission. The land is Greenbelt. The levels were raised so significantly that they affected overhead electricity wires- the electricity supply company had to raise the height of the cables for safety reasons.

To see just how much levels have been raised, reference can be made to the original TOPO survey attached to the planning application 16/1378M and the TOPO attached to this application.

The lack of enforcement to a satisfactory conclusion is the subject of a Formal Complaint registered with David Malcom by our Council on 17th November 2020 (reference 10066229) the result of which has been deferred and which is now long overdue.

In the supporting statements, Gareth Salthouse states:

The land-reprofilng within the site has been done in a manner that has evenly spread out the “fill” across the application site area and has been profiled to smooth the transition between the levels, creating gentle plateaus and relatively smooth slopes.

It has resulted in the raising of the localised land levels within that part of the site.

The re-profilng works have been carried out in a sensitive manner to reflect the local landscape character of gently undulating land very localised topographical variations.

His suggestion that the developer has simply spread some existing spoils out that were left by the previous owner is totally incorrect. The levels have been raised by circa 2m by the bringing in of many tonnes of concrete from another site in the area, dumped and buried and this application does not address this matter in any way.

Should some investigative groundworks be done to the area now covered, the evidence will be all too obvious.

In an email (copied to a local resident) in June of last year, Matthew Keen wrote to Gareth Salthouse:

"I went out on site yesterday and there has been a significant amount of material deposited onto the land which increases the level in parts by almost 2m. This is significant and constitutes an engineering operation or if it is waste material a potential material change of use of land. S.55 of the Town and Country Planning Act 1990 states that the deposit of refuse or waste materials on land involves a material change in its use. Have you been to the site recently? I have attached some photos to show the levels increases. The site was fairly flat, apart from some mounds which were created from former unlawful dumping of materials.

Obviously, the amount of material which has been introduced to the site is significant and I need you to confirm the reason for the levels' changes, where the material is from and what it constitutes and I will need to see site sections showing the former levels and the proposed levels and also what planting etc is proposed for the rear section. I will send further photographs to show the level of development which has taken place.

You mention that a condition was not included in the permission relating to levels. This is because the site was flat and it was not proposed to alter the levels so any alteration is therefore not approved, particularly in the area to the rear which does not have any permissions.

I will repeat my instructions from on site that all works must cease and any further works are at the owner's risk."

By no means does this application address the unlawful tipping that occurred.

Mr Salthouse has made a number of statements in his covering letter that are simply not factually true. For example, he states that the materials tipped on the site arrived prior to his client's ownership. This is patently not true – they arrived by commercial vehicles on a daily basis during the course of last summer. Again, the Planning and Enforcement Officer can verify this fact.

His responses to Paras. 6 and 20 in the application form are incorrect or at best a mistake?

In the application form attached under Section 6 Existing Use, the planning consultant states:

6. Existing Use Please describe the current use of the site
Works have commenced on regarding the land and implementing a comprehensive landscape plan
<input type="radio"/> <input type="radio"/> Is the site currently vacant? Yes No
Does the proposal involve any of the following? If Yes, you will need to submit an appropriate contamination assessment with your application.
<input type="radio"/> <input type="radio"/> Land which is known to be contaminated
Land where contamination is suspected for all or part of the site
A proposed use that would be particularly vulnerable to the presence of contamination
Yes No
Yes No
Yes No
<input type="radio"/> <input type="radio"/>

The Consultant has ticked "no" to the questions above. Can supporting evidence prove that the spoils brought in, dumped and buried on greenbelt land are not contaminated?

20. Industrial or Commercial Processes and Machinery

Does this proposal involve the carrying out of industrial or commercial activities and processes?

Is the proposal for a waste management development?

Yes No

Yes No



'If this is a landfill application you will need to provide further information before your application can be determined. Your waste planning authority should make it clear what information it requires on its website'

Again, the planning consultant has ticked "no" to the 2 questions above.

The bringing in of the spoils did involve industrial and commercial activities and the activities could be classed as waste management development.

Also, please note that this is a recently dated application but Mr Salthouse states that works started on site in September 2019 – it is fair to assume that he has been aware of the largescale landfill operation that was taking place during 2019 and 2020 when the Enforcement Officer put a stop to all the activity?

This land is Greenbelt and as such should not be the receiver of illegal and unlawful tipping. This application does not deal with the issue and whilst Part 2 is acceptable we would urge you to investigate further and to refuse this application until such time as the unlawful tipping element has been addressed.

Application No: 20/5659M
Proposal: Variation of condition 2 on 20/2000M - Variation of conditions 2 & 11 on approved application 19/4864M - Variation of condition 3 (approved plans) to planning application 16/1378M - Proposed demolition of existing industrial unit and construction of 2 detached dwellings with detached garages with associated parking and landscaping
Location: Locoshed, BOLLINGTON LANE, NETHER ALDERLEY, SK10 4TB
National Grid Ref: 383290.1041 375181.0875

NAPC Comment: Although the Parish Council has no objection, Councillors ask that you take the concerns of the immediate neighbouring property (Foxhills) into consideration when determining this application.

13.2 To consider any other Planning matters including decisions to Planning Applications:

13.2.1 Loco-shed, Bollington Lane (20/2000M) update – Although the Parish Council had submitted a formal complaint on 16th November 2020 which was acknowledged by Cheshire East Council, it is yet to receive a response. The Clerk was asked to follow this up.

13.2.2 Planning Applications: Clarification on the formal process of consultation update – Councillors agreed to refer this issue to both Alderley Park Liaison Committee (Cllr. Y.Bentley) and the Parish Cluster Group (Cllr. S.Joseph), as the concerns raised appear to be fundamental within Cheshire East.

13.2.3 Alderley Park: P.J. Livesey Signage update – Cllr. Shufflebottom was pleased to report the redundant advertising boards have now been removed.

13.2.4 Certificate of Lawfulness (20/5159M) – Cheshire East Council confirmed that a Certificate of Lawfulness is not a planning application but a legal test as to whether the proposed development requires planning permission. Certificates of Lawfulness are not subject to public consultation with neighbours, nor consultees such as parish councils, and do not involve an assessment of the planning merits of the proposal, such as the impact of the development upon the character of the area or the impact on the living conditions of neighbours etc., as a planning application would. Instead, this type of Certificate of Lawfulness is considered against the criteria within The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), which specifies the position and scale of certain extensions to dwelling/houses that do not require planning permission, and this application simply seeks confirmation from the Council that these criteria are met. Any comments related to the impact of the proposal would not carry any weight in the determination of the application.

14. Burial Board

To consider communication and issues relating to the Burial Ground: None

15 Parish Hall

15.1 To receive reports from members of the Parish Hall Joint Management Committee (JMC):

15.1.1 The latest COVID-19 information from ACRE: Community Buildings and Village Halls in Tier 4 –
Noted

15.1.2 Insurance implications if the Parish Hall remains closed – The insurance company have informed the JMC that conditions will be imposed if the Parish Hall remains closed. Cllr. Farrell will contact them and report back at the next meeting.

15.1.3 Investigate if there are any further grants available towards the upkeep of the hall – The Parish Council remains vigilant in sourcing any additional funding/grants which are available to subsidise the overhead costs of the hall.

15.1.4 Consideration to re-open the Parish Hall – Due to the current COVID-19 restrictions the hall remains closed for the foreseeable future.

15.2 To consider any other matters relating to the Parish Hall:

15.2.1 Government guidelines (COVID-19) update – The Parish Council continues to adhere to Government guidelines which are consistently updated.

16 Councillor's reports and items for future agenda: None

17 Next Parish Council meeting:

To confirm the next Parish Council meeting on Monday 8th February 2021 (via ZOOM)

Minutes taken by: The Clerk

Signed.....

Date: 8th February 2021

Chairman of the Meeting

APPENDIX A

**Nether Alderley Parish Council Meeting
Monday 11th January 2021 at 5.30 p.m.**

(This meeting will be accessed remotely via ZOOM – Please contact the Clerk to obtain details)

Schedule of Receipts and Payments

A1. Receipt of Income

31.12.20	BACS	£63.18 (£60.58 plus £2.60) Electricity Refund (December 2020)	E,F,G
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A2. Invoices for payment

1520	Utility Warehouse	£86.71 (£84.31 plus £2.40 VAT) Electricity (November 2020 – Estimated readings)	E,F,G
1521	Mrs. B.Thorpe	£964.45 Salary and expenses, January 2021	H
1522	HMRC	£125.23 Tax/NI, January 2021	H
1523	Cheshire Assoc. of Local Councils	£75.00 ChALC Training Course: Virtual Meetings (8 th , 10 th and 12 th December 2020)	H
1524	N.Moore	£672.50 Burrial Grounds Maintenance	A

A3. Direct Debits/Standing Orders for approval

Cheshire Pension Fund	£200.00	December 2020 pension contribution Debited on or after 15th December 2020	H
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A4. Approval to forward to Payroll provider for inclusion in Payroll Report for Clerk's expenses/salary:

Additional Hours, Travel and Administration/Stationery Costs:	£353.10	H
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**Signed.....
Chairman of Meeting**

**Signed.....
Clerk and Responsible Financial Officer**

Parish Council Powers for Expenditure and Activity

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 H
LGA 1972 s111

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

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

N

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