

## NETHER ALDERLEY PARISH COUNCIL

### Minutes of the Parish Council Meeting held on Monday 13<sup>th</sup> August 2018 at 7.00 p.m. at Nether Alderley Parish Hall

**In the Chair:** Cllr. J Shufflebottom

**Parish Councillors present:** N.Howick, and J.Wilkinson

**Also present:** Cheshire East Councillor G.Walton and the Parish Council Clerk

1. **To receive apologies for absence** – The Parish Council received apologies for absence from Nether Alderley Parish Councillors: Y.Bentley, S.Lewis and S.Shorland

2. **To receive Declarations of Interests**

2.1 **To Declare Disclosable pecuniary interests** – No declarations were made.

2.2 **To Declare interests conflicting with Nolan principles/non-pecuniary interests** – No declarations were made.

2.3 **To all Councillors to consider amendments required to their Declaration of Pecuniary interest forms** - No amendments were made.

3. **To consider and approve Applications for Dispensations** - No applications for dispensation were submitted.

4. **RESOLVED: The Parish Council resolved to approve the minutes of the Nether Alderley Parish Council meeting held on 2<sup>nd</sup> July, are a true and accurate record.**

*Proposed: Cllr. J.Shufflebottom*

*Seconded: Cllr. N.Howick*

5. **7.05 p.m. Public presentation** – Marc Asquith was in attendance. Marc has been selected to represent the Conservative Party nomination for CEC Ward Councillor for Chelford at the next election in 2019 to replace the current CEC Ward Councillor, George Walton who intends to retire.

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 **To consider and agree new Councillor appointments** – Applications were received from two local residents, Angela Farrell and Sue Joseph. The Chairman and Vice Chair met with both applicants prior to the Parish Council meeting, for an informal chat and considered them both to be suitable candidates and recommended Nether Alderley Parish Council approve their appointments.

**RESOLVED: The Parish Council resolved to appoint Angela Farrell to Nether Alderley Parish Council with immediate effect.**

**Proposed: Cllr. N.Howick**

**Seconded: Cllr. J.Wilkinson**

**RESOLVED: The Parish Council resolved to appoint Sue Joseph to Nether Alderley Parish Council with immediate effect.**

**Proposed: Cllr. J.Shufflebottom**

**Seconded: Cllr. J.Wilkinson**

Cllr. Shufflebottom welcomed Cllr. Farrell and Cllr. Joseph to Nether Alderley Parish Council.

**8.2 Hall renovation update** – Cllr. Howick and Simon Fenton (Quantity Surveyor) arranged an informal meeting on Tuesday 14<sup>th</sup> August with Andrew Ramshall (Listed Planning Officer at CEC) to establish the feasibility of rebuilding the external storeroom with access from the parish hall which could provide additional storage for tables/chairs etc. Cllr. Howick will report back at the Parish Council meeting in September.

**8.3 Neighbourhood Plan update** – Cllr. Howick confirmed the Designation Letter, informing CEC of the Parish Council's intent to produce a Neighbourhood Plan will be sent this week and additional funding towards administration costs is available and the Parish Council will receive £9,000 of local government funding to take the project forward.

Following the recent meeting with Mr. David Proudlove, Cllr. Howick recommended the Parish Council engage the services of D2H to assist the working group in producing a Neighbourhood Plan, subject to receiving a formal proposal and associated costs.

**RESOLVED: The Parish Council resolved to approve (in principal) to engage the services of D2H to assist the working group in producing a Neighbourhood Plan, subject to receiving a formal proposal and associated costs.**

**Proposed: Cllr. J.Shufflebottom**

**Seconded: Cllr. J.Wilkinson**

**8.4 Highways and Potholes** – Cllr George Walton, CEC Ward Councillor for Chelford, reported he will be meeting Cllr. Rachael Bailey, Leader of Cheshire East Council, and will be discussing the recent response from Esther McVey.

**8.5 Decommissioned telephone box at Monk's Heath** – The Clerk confirmed the decommissioned telephone box officially belongs to Nether Alderley Parish Council and will be fitted with a defibrillator in the near future. The telephone box has been added to the Asset Register and the Clerk has informed the Parish Council's insurance company to ensure it is added to the policy.

Marc Asquith left the meeting

## **9. New Matters**

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

**9.1 New Councillor vacancy** – Cllr. Sarah Shoreland has resigned from the Parish Council due to lack of available time which is required to fully commit to the Parish Council. Cllr. Shufflebottom thanked Cllr. Shoreland for her continued commitment to the Parish Council and in particular for representing the Parish Council at numerous Manchester Airport meetings.

The formal process to appoint a new Councillor will commence. A notice informing residents of the vacancies will be posted in the parish notice boards/ website and Cheshire East Council website for 14 days. If 10+ eligible applicants apply to the Elections Dept. for the vacancies, a Bye-election will be called which will be funded by the Parish Council. If there are no applicants, the Parish Council will be informed by the Elections Dept. and the process to Co-opt a councillor will commence.

**9.2 Consider and approve Nether Alderley Parish Council Committees** – The day to day running is the responsibility of the Joint Management Committee (JMC) which is made up of three representatives from the Parish Council and three from the Parochial Church Council. Due to the recent resignations of Cllrs. Colgan and Shoreland, it had been agreed at a previous Parish Council meeting that Cllr. Shufflebottom will continue to serve on this committee on a temporary basis and the Chairman recommended the two new Cllrs. Farrell and Joseph join the committee.

**RESOLVED: The Parish Council resolved to approve that Cllr. Angela Farrell and Cllr. Sue Joseph represent Nether Alderley Parish Council on the JMC.**

**Proposed: Cllr. J.Shufflebottom**

**Seconded: Cllr. J.Wilkinson**

- 9.3 Invitation for afternoon tea with the Mayor** – Cllr. Shufflebottom represented the Parish Council at the Mayor's afternoon tea which took place on 9<sup>th</sup> August 2018. The Mayor confirmed she wished to liaise and communicate more with Parish Council's as they appear to have similar issues i.e. Planning and highways matters

**10. Policies and Procedures**

- 10.1 To receive a report on the quarterly inspection of Highways assets:** The next inspection is due in September by Cllr. Lewis and will be reported at the Parish Council meeting in October 2018.
- 10.2 ChALC Course: Code of Conduct (Tuesday 11<sup>th</sup> September 2018)** – Councillors were asked to contact the Clerk should they wish to attend this course.

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

- 11.1** The Parish Council noted receipts as listed in Appendix (A1)

- 11.2** To approve items for payment as listed in schedule (A2)

**RESOLVED: The Parish Council resolved to approve payments as listed in Appendix (A2)**

**Proposed: Cllr. N.Howick**

**Seconded: Cllr. J.Wilkinson**

- 11.3** To approve direct debits/standing orders as listed in schedule (A3)

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

**Proposed: Cllr. J.Shufflebottom**

**Seconded: Cllr. J.Wilkinson**

- 11.4** To approve administration and expenses costs 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.Shufflebottom**

**Seconded: Cllr. J.Wilkinson**

- 11.5** To consider and approve the bank reconciliation to 30<sup>th</sup> June 2018 - The Clerk presented the bank reconciliation to 30<sup>th</sup> June 2018 together with analysis of receipts and payments to the current account and the bank statement for current and reserve accounts at 30<sup>th</sup> June 2018. The Clerk confirmed Cllr. Wilkinson's independent analysis of the bank reconciliation in conjunction with assessment of bank statements and the cash book and her confirmation of the accuracy of the figures recorded.

**RESOLVED: The Parish Council considered and resolved to approve the bank reconciliation to 30<sup>th</sup> June 2018**

**Proposed: Cllr. C.Wilkinson**

**Seconded: Cllr. J.Shufflebottom**

- 11.6 To consider and approve the comparison of budget headings to receipts and expenditure at 30<sup>th</sup> June 2018** - The Clerk confirmed Cllr. Wilkinson's independent analysis of receipts/expenditure amounts and accuracy of the figures recorded in comparison with the cash book.

**RESOLVED: The Parish Council considered and resolved to approve the comparison of receipts and expenditure to budgeted amounts at 30<sup>th</sup> June 2018.**

**Proposed: Cllr. C.Wilkinson**

**Seconded: Cllr. J.Shufflebottom**

**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 **Invitation to CEC Town and Parish Councils Conference (Wednesday 26<sup>th</sup> September 2018)** – Cllr. Joseph will attend.
- 12.2 **Proposed changes to Highways' maintenance priorities: Well managed highway infrastructure Consultation** – Noted
- 12.3 **Request to place an article on the Parish website concerning drug addiction** – Councillors will request and consider the guest article before permission is granted to publish it on the Parish website.
- 12.4 **CEC: A new Cheshire East Cemeteries Strategy** – Noted
- 12.5 **Introducing the new Alderley Church News** – In addition to local residents, the newsletter targeted new residents in Alderley Park. Councillors were asked to forward any future articles to Revd. Jon Hale.
- 12.6 **Esther McVey is holding a drop-in event in Chelford** – An invitation to attend the drop-in event will be placed on the Parish website and local residents will be informed via email.
- 12.7 **Local crime report** – Noted

### 13 Planning

#### 13.1 To consider and approve responses to new planning applications:

<b>Application No.:</b>	<b>18/3215M</b>
Proposal:	Non Material Amendment on application 16/5853M
Location:	Plot 23, The Serpentine, Congleton Road, Nether Alderley
National Grid Ref:	

#### **Response from Nether Alderley Parish Council to CEC Planning Department:**

The Parish Council notes that a previous full application has been withdrawn and replaced with a proposed "Non-material minor amendment", and has several points of query and objection. These fall into two separate areas:

1. What constitutes a Non-material Minor Amendment
2. Fundamental rights of other residents and neighbours

#### **1. What constitutes a Non-material Minor Amendment**

The following criteria exist:

- The proposal is for a very small change to the development already granted planning permission
  - The proposed amendment does not alter the development significantly from what was described on the planning permission and does not conflict with any conditions of the permission
  - No adopted planning policy is breached
- There are no absolute rules to determine what constitutes a "minor material amendment". However, the Government has defined this type of change as being: "one whose scale and nature results in a development which is not substantially different from that which has been approved". It cites changes to window types, brick colour etc under such a definition. NAPC considers this amendment to be way outside of these criteria, especially as the amendment involves some 25% addition to the ground floor footprint.

NAPC also notes the submitted application is produced by a conservatory company without apparent reference to an architect or similar consultant.

#### **2. Fundamental rights of other residents and neighbours**

As this entire housing development has not yet been built, the Parish Council feels that this amendment effectively sidesteps the trusted framework put in place under Planning Law whereby occupants of adjacent dwellings (neighbours) are invited to comment on applications. As no neighbours exist at this stage, then this inherent right of consultation is denied. Permitted development rights were removed from the site for the protection of all residents, therefore the Parish Council suggests this application is premature. It is also very concerned that permission of said amendment would set an unworkable precedent.

The Parish Council notes the following general advice to applicants: "*...if there is any doubt as to whether or not the amendment would constitute a minor material amendment, it may be more appropriate for a full planning application to be submitted*". Therefore, NAPC would like to see this amendment withdrawn and re-submitted as a full planning application on the grounds stated above.

**Application No:** 18/3413M

Proposal: Rear facing single storey extension and roof alterations  
Location: GREENLANDS, SAND LANE, NETHER ALDERLEY, MACCLESFIELD,  
CHESHIRE, SK10 4TS  
National Grid Ref: 384021 376422

**Comment: No objection**

**Application No:** 18/3341M

Proposal: Ground floor extensions.  
Location: Wychwood, SOSS MOSS, NETHER ALDERLEY, SK10 4TU  
National Grid Ref: 382124 376214

**Comment: No comment**

**Application No:** 18/3814M

Proposal: Demolition of existing dwelling and erection of a 2-storey replacement detached dwelling with associated leisure facilities, garage and external landscaping works  
Location: OVER SPINNEY, WHITEBARN ROAD, ALDERLEY EDGE, SK9 7AN  
National Grid Ref: 384812 377506

**Comment: No objection**

**Application No:** 18/3895M

Proposal: Erection of detached two storey dwelling house including attached garage and associated landscaping  
Location: IRONS COTTAGE, WELSH ROW, NETHER ALDERLEY, CHESHIRE, SK10 4TY  
National Grid Ref: 384055 376986

**Comment: Nether Alderley Parish Council met on 13<sup>th</sup> August and considered and discussed this planning application. Councillors do not support this application and suggested that the design is oversized for the plot and that approval of planning application 16/0703M is a house size more fitting to the size of plot.**

**Should Cheshire East Council Development Management/Planning Department be minded to approve this planning application, the Parish Council requests that a condition is imposed that all contractors and visitors to the site, during the time of construction, park within the confines of the development and not on surrounding highways or verges, to prevent the inconveniencing of neighbouring properties and the damage to highways and verges. Should any damage be caused either directly or indirectly as a result of the building works, the developer or landowner should repair the damage before works are completed.**

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

13.2.1 CEC (Nether Alderley – Alderley Park No. 2) Tree Preservation Order 2018 – Noted

13.2.2 CEC (Footpath No. 32 [Part] Parish of Nether Alderley) Public Footpath Diversion Order 2018 – Noted

13.2.3 Alderley Park (Bellway Development): Unrestricted discharge of all surface water into Pedley Brook from Heatherley Woods housing development – A local resident had contacted the Parish Council as he had grave concerns regarding the unrestricted discharge of all surface water into Pedley Brook. The Parish Council discussed his concerns and agreed to bring it to the attention of the Planning Officer and request that this issue should be revisited with the CEC Flood Risk Officer and the developer. Cllr. Shufflebottom and Cllr. Walton confirmed they were attending an Alderley Park Liaison on Friday 17<sup>th</sup> August and would raise the matter at the meeting and report back.

Cllr. G.Walton left the meeting

**14 Burial Board**

**To consider communication and issues relating to the Burial Ground:**

**Item 14.1 and 14.3 were excluded from the public and press in the public interest for consideration of the following items:**

**a. Personal issues**

**b. Legal issues**

- 14.1 Consider and approve memorial headstone (NBG 248) – Appendix B (13.08.18)**
- 14.2 Grant an Exclusive Right of Burial (No. 238) – The Deed was signed by members of the Burial Board.**
- 14.3 Consideration and approval to purchase a burial plot in the New Burial Ground and grant an Exclusive Right of Burial (No. 239) – Appendix C (13.08.18)**

**15 Parish Hall**

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

Revd. Jon Hale had recently called an emergency PCC meeting to raise several issues, some of which related to the Constitution of the JMC. Janet Adamson, Chairman of the JMC, asked the Parish Council to consider each request and report back.

The Parish Council noted that the JMC Constitution was established in 2000 by the Parochial Church Council (PCC) and the Parish Council and all terms were agreed. Some of the issues raised were both financial and procedural, therefore the Parish Council determined it would be inappropriate at this time to change the Constitution due to a period of great transition; and concurred that all matters would depend on future happenings which currently cannot be predicted.

The Parish Council agreed to revisit the issues raised when the Parish Hall refurbishment has been completed and the demand for hiring is more apparent. It also confirmed that temporary storage of church possessions in the Mausoleum could be accommodated as promised.

**15.2 To consider any other matters relating to the Parish Hall: None**

**16 Councillor's reports and items for future 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)

**17 Next Parish Council meeting:**

The next Parish Council meeting is on Monday 10<sup>th</sup> September 2018

**Minutes taken by: the Clerk**

**Signed..... Date.....**

**APPENDIX A**

**Nether Alderley Parish Council Meeting  
Monday 13<sup>th</sup> August 2018 at 7.00 p.m.  
Nether Alderley Parish Hall**

**Schedule of Receipts and Payments**

**A1. Receipt of Income**

27.07.18	BACS	<b>£1200.00</b>	BB – New burial plot (NBG 247)
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**A2. Invoices for payment**

1377	Mr. N.Moore	<b>£609.00</b>	Burial Ground maintenance (1 <sup>st</sup> Quarter)	<b>A</b>
1378	SLCC Cheshire	<b>£25.00</b>	SLCC Branch Conference	<b>H</b>
1379	Mrs. B.Thorpe	<b>£693.74</b>	<i>Salary and expenses, August 2018</i>	<b>H</b>
1380	Henshaws Envirocare Ltd.	<b>£21.29</b>	<i>(£17.74 plus £3.55 VAT) 1 x waste collections – June 2018</i>	<b>E,F,G</b>
1381	Shires Pay Services Ltd.	<b>£30.00</b>	<i>(Payroll – 2<sup>nd</sup> Quarter)</i>	<b>H</b>
1382	Henshaws Envirocare Ltd.	<b>£42.58</b>	<i>(£35.48 plus £7.10 VAT) 2 x waste collections – July 2018</i>	<b>E,F,G</b>

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

Cheshire Pension Fund	<b>£170.00</b>	June 2018 pension contribution Debited on or after 15 <sup>th</sup> July 2018	<b>H</b>
Utility Warehouse	<b>£15.22</b>	Parish Hall Electricity for June 2018 debited on or after 31 <sup>st</sup> July 2018 (£14.21 plus £1.01 VAT)	<b>E,F,G</b>

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

Additional Hours, Travel and Administration/Stationery Costs:	<b>£149.15</b>	<b>H</b>
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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 A

Open Spaces Act 1906, ss9 and 10

Power to agree to maintain monuments and memorials B

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

Power to provide and maintain and Power to contribute towards expenses of cemeteries C  
Local Government Act 1972, s.214

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

**Bus Shelters**

Power to provide and maintain shelters D

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

Parish Councils Act 1957, s.1

**Crime prevention** *Local Government and Rating Act 1997 s31, Crime and Disorder Act 2000 Q*

**Community Centres**

Power to provide and equip community buildings E

Local Government Act 1972, s.133

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

Local Government (Miscellaneous Provisions) Act 1976 s.19

Power to provide a range of recreational facilities G

Local Government (Misc Provisions) Act 1975 s19

**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 L

Litter Act 1983, ss 5, 6

**Research and collection of information Power to carry out research**

LGA 1972 S 141 M

**Parish Plans S141 LGA 1972 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 £7.57 per elector in 2017/18. Expenditure must be commensurate with the benefit N

**Websites** Local Government Act 1972 s142 P