

NETHER ALDERLEY PARISH COUNCIL

Minutes of the Parish Council Meeting held on Monday 14th May 2018 at 7.00 p.m. at Nether Alderley Parish Hall

In the Chair: Cllr. J Shufflebottom

Parish Councillors present: N.Howick, S.Lewis, 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 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 9th April 2018 are a true and accurate record.**

Proposed: Cllr. J.Shufflebottom

Seconded: Cllr. J.Wilkinson

5. **7.05 p.m. Public presentation** – Mark Asquith was in attendance.

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 **Neighbourhood Plan update**

RESOLVED: The Parish Council resolved to approve that Nether Alderley Parish Council will commence to create a Neighbourhood Plan which will be lead by Cllr. N.Howick.

Proposed: Cllr. J.Shufflebottom

Seconded: Cllr. J.Wilkinson

Mark Asquith left the meeting

8.2 Parish Hall renovation update:

- The Parish Council had informed the working party of the decision to 'scale down' the proposed plans and proceed with the following repairs/upgrades: structural repairs, timber repairs, disabled access, upgrade the heating system/toilet facilities and redecoration within the scope of the s106 monies.
- Councillors agreed that storage still remains a problem and two options were discussed. The first option involved using the kitchen area which wasn't considered viable. The second option involved two out-rooms at the rear of the Parish Hall which are falling away from the building and are in need of attention as part of the existing structural repairs. Councillors discussed the feasibility of making a slight alteration to these out-rooms which would permit additional storage with access via the Parish Hall. Councillors noted that as the Parish Hall is a Listed Building, any alterations would require detailed architects plans and would be subject to permission from both the Planning department and Listed Buildings at Cheshire East Council.

RESOLVED: The Parish Council resolved to approve to commission Martyn Bale, as Chairman of the Working Group, to take the plan forward in order to achieve much needed storage in the Parish Hall.

Proposed: Cllr. S.Lewis

Seconded: Cllr. N.Howick

- 8.3 Highways and Potholes** – Further to the meeting which Cllr. Shufflebottom and Cllr. G.Walton (Ward Councillor) had with John Tickle (CEC Senior Highways Officer), the Parish Council were disappointed to receive a standard email outlining how highways reports are dealt with. After due consideration, the Parish Council concluded that little headway has been made and asked the Clerk to forward all emails to Ester McVey (MP for Tatton) and copy in Rachel Bailey (Cheshire East Council).
- 8.4 Alderley Park Liaison meeting** – A meeting had recently taken place. Cllr. Shufflebottom reported P.J.Livesey have sold 18 of the 19 properties available which range from £350k - £650k.

Cllr. George Walton left the meeting

9. New Matters

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

- 9.1 Little Eagles request to advertise their facility on the bus shelters on Congleton Road and Alderley Park** – Little Eagles is a pre-school facility which is based at Nether Alderley Primary School but run entirely separately as a registered charity. They have been running successfully for over ten years and are keen to increase pupil numbers to allow for greater income to reinvest and upgrade their provision. The Parish Council discussed the request and as it is a pre-school within the Parish of Nether Alderley consider this to be a special case and granted permission to advertise which will be reviewed in six months. The Parish Council wish them well and hope the additional advertising will promote this facility.
- 9.2 News of PCSO Julie Short (Rural Crime Team) and PC Garry Charnock (Rural Crime and Wildlife Officer) taking over the Chelford Ward** – The Parish Council warmly welcomes Julie and Garry to Nether Alderley and look forward to meeting and working with them in the future.
- 9.3 New Councillor advertisement for two vacancies** – Following Cllrs. Colgan and Walker's resignation, there are two vacancies on the Parish Council and the formal process to appoint two new Councillors 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.
- 9.4 Introduction of General Data Protection Regulations (GDPR)** – Data protection law will significantly change on 25th May 2018 when the 2016 EU Directive known as GDPR will take effect. GDPR has been introduced to strengthen and unify data protection laws and is fully supported by the Parish Council. The process to become compliant has already started and those residents whose emails are kept on file will be contacted to update their preferences.

10. Policies and Procedures

- 10.1 To receive a report on the quarterly inspection of Highways assets:** Cllr. Lewis has volunteered to carry out the next inspection at the end of June and report back at the Parish Council meeting in July.

- 10.2 To consider and review the Asset Register** – Further to the issue raised in the Internal Audit Report regarding Fixed Assets, the purchase value of two additional items were added to the total purchase value (£11,181.15) in line with the Annual Governance and Accountability Return 2017/18 (Accounting Statements for 2017/18).

RESOLVED: *The Parish Council resolved to approve the Asset Register which included the correct total purchase value (£11,181.15) and noted an increase to the insurance valuation of assets of 4% as from 1st April 2018.*

Proposed: *Cllr. J.Shufflebottom*

Seconded: *Cllr. N.Howick*

- 10.3 To consider the results of internal audit and of the Working Group's analysis of the results of internal audit, plan of audit, internal systems of control, Annual Governance Statement, Accounting Statements and VAT return.**

The Parish Council designated appraisal of the following areas to a Working Group of Councillors and the Clerk. The results of internal audit 2017/18, the Parish Council's Internal Audit and Plan of Audit, the Parish Council's Internal Systems of Control, the Annual Governance Statement on the Annual Return, the Annual Return Statement of Accounts, the VAT reclaim for 2017/18. The Working Group met on 2nd May 2018 and comprised of Cllrs. J.Shufflebottom, J.Wilkinson, N.Howick, Y.Bentley and the Clerk. The Working Group reported its findings and recommendations to the Parish Council. The Parish Council considered and discussed the Group's findings and approved the following conclusions and recommendations:

10.3.1 Results of the Internal Audit 2017/18

The Internal Auditor's report, as part of the Annual Governance and Accountability Return (AGAR), and separate audit report were considered. The Parish Council noted that the Internal Auditor had agreed with all areas of the Annual Internal Audit report on the AGAR in relation to the Parish Council's achievement of internal control objectives, except section F (re: petty cash which is not held), K (trust funds) both of which are not applicable to the Council and H subject to:

Fixed Assets – *The comparative figure for 2016/17 fixed assets in the Annual Return of £10,124 does not agree to last year's certified figure for fixed assets of £10,593 in the 2016/17 Annual Return.*

Recommendation: *The Annual Return should be amended to reflect the certified figure for fixed assets from 2016/17.*

The purchase cost section of the fixed asset register casts to £11,181, however, fixed assets are recorded in the 2017/18 Annual Return as £10,125. This does not reconcile with recorded fixed asset additions and the 2016/17 fixed asset figure,

Recommendation: *The council should review the fixed asset register with reference to the correct 2016/17 value and subsequent additions and record the correct fixed assets value in the 2017/18 Annual Return.*

GDPR – *Data Protection Law will change significantly on May 25th 2018 due to the 2016 EU Directive General Data Protection Regulation (GDPR) taking effect. GDPR replaces the 1998 Data Protection Act and it will impose new obligations on Data Controllers and Data Processors and provides enhanced rights for individuals. Compliance with GDPR could have resource implications for local councils.*

Recommendation: *The impact of GDPR on the council should be identified through review of ICO and NALC guidance and the Data Protection Policy, Risk Assessment and internal controls should be updated accordingly.*

RESOLVED: *The Parish Council resolved to approve the results and recommendations made in the Internal Audit Report for 2017/18*

Proposed: *Cllr. J.Shufflebottom*

Seconded: *Cllr. N.Howick*

10.3.2 Review of the Parish Council's Internal Audit

The Parish Council considered and reviewed its plan of audit.

RESOLVED: The Parish Council resolved to approve that the scope and coverage of the internal audit is adequate, appropriate and effective for Nether Alderley Parish Council and that it has fulfilled its responsibilities in relation to internal audit and statutory expectations, including scope, independence, competence, relationships, audit planning and reporting.

Proposed: Cllr. J.Shufflebottom

Seconded: Cllr. N.Howick

10.3.3 Review of Effectiveness of Systems of Internal Control

RESOLVED: The Parish Council resolved to approve the Council's Statement of Internal Control and resolved that the Parish Council has an adequate and effective system of internal control with mechanisms to prevent and detect fraud and corruption.

Proposed: Cllr. J.Shufflebottom

Seconded: Cllr. N.Howick

10.4 Annual Governance and Accountability Return 2017/18 (Section 1 – Annual Governance Statement)

The Parish Council considered and discussed each Governance Statement of the Annual Return.

RESOLVED: The Parish Council resolved to approve agreement to each statement on the Annual Governance Statement except statement 9 (trust funds) which did not apply.

Proposed: Cllr. J.Shufflebottom

Seconded: Cllr. S.Lewis

10.5 Annual Governance and Accountability Return 2017/18 (Section 2 - Accounting Statements)

The Parish Council considered and discussed the analysis of significant variances in comparison with last year's accounts and the detailed analysis of accounting figures. The Clerk informed the Parish Council that box 9 (Fixed Assets) had been restated for 2016/17 to reflect the minor issue raised by the internal auditor in the Internal Report for 2017/18 (see Pt. 10.3.1).

RESOLVED: The Parish Council resolved to approve the Accounting Statements as presented in Section 2 of the Annual Return.

Proposed: Cllr. J.Shufflebottom

Seconded: Cllr. J.Wilkinson

10.6 Exercise of Elector's Rights

The Clerk confirmed the dates set for external audit, return of the Annual Return, period for exercise of elector's rights and mechanisms for publication of the Annual Return and elector's rights notices.

RESOLVED: The Parish Council resolved to approve that the Clerk and Chairman's contact details are included on the Elector's Rights notice.

Proposed: Cllr. J.Shufflebottom

Seconded: Cllr. N.Howick

10.7 Reclaim of VAT 2017/18

RESOLVED: The Parish Council resolved to approve the proposed VAT reclaim amounts for 2017/18.

Proposed: Cllr. J.Shufflebottom

Seconded: Cllr. S.Lewis

10.8 To consider and approve the Clerk's 2018/19 National Salary Award with effect from 1st April 2018

RESOLVED: The Parish Council resolved to approve the Clerk's 2018/19 National Salary award with effect from 1st April 2018 including any backpay due.

Proposed: Cllr. J.Shufflebottom

Seconded: Cllr. N.Howick

10.9 To consider and approve future payments to HMRC/PAYE electronically.

RESOLVED: The Parish Council resolved to continue to make future payments by cheque to HMRC/PAYE until electronic payment is mandatory.

Proposed: Cllr. S.Lewis

Seconded: Cllr. J.Shufflebottom

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. J.Wilkinson

Seconded: Cllr. N.Howick

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. C.Wilkinson

12 Correspondence

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

25.04.18 – Cheshire East Council: Local Transport Plan (LTP) Consultation 1st May – 25th June 2018 - Noted
08.05.18 – Building Control SCA Proposal Survey - Noted

13 Planning

13.1 To consider and approve responses to new planning applications:

Application No: 18/1612M

Proposal: Variation of Condition 2 on 16/5453M - Demolition of the existing buildings and the erection of a single dwelling and other associated works.

Location: Horticultural Packing Shed, BOLLINGTON LANE, NETHER ALDERLEY

National Grid Ref: 383734 374842

Comment: Further to Nether Alderley Parish Council's recent meeting the Parish Council have no objection to the variation of condition 2 on application 16/5453M. However, the comment made in the original application remains as follows:

The Parish Council note there is no garaging within this application and assume that should the applicant wish to add garaging in the future, a full planning application would be required rather than permitted developments.

Application No: 18/1676M

Proposal: To erect an oak framed open fronted 3 bay car port under a slate on a concrete raft.

Location: BAGBROOK BARN, CHELFORD ROAD, NETHER ALDERLEY, CHESHIRE, SK10 4SZ

National Grid Ref: 383283 374279

Comment: The Parish Council have no objections to this application.

However, 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.

Application No: 18/1773M
Proposal: Demolition of existing garage and erection of new garage
Location: Tall Trees, CHELFORD ROAD, GREAT WARFORD, SK9 7TL
National Grid Ref: 382345 376875

Comment: The Parish Council have no objections to this application.

However, 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.

Application No: 18/1897M
Proposal: Variation of Condition 3 on approved Planning Applications 17/4551M and 17/4552M (LBC) to incorporate the addition of a short section of garden wall between the extensions.
Location: Beech Tree Lodge, Hocker Lane, Over Alderley, Macclesfield, Cheshire, SK10 4SE
National Grid Ref: 385103 376144

No Comment

13.2 To consider any other Planning matters including decisions to Planning Applications: None.

14 Burial Board

To consider communication and issues relating to the Burial Ground:

Item 14.1 and 14.2 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 To consider and approve an inscription to a new memorial tablet – Appendix B (14.05.18)

14.2 To consider and approve a request to clean/replace a memorial headstone – Appendix C (14.05.18)

15 Parish Hall

15.1 To receive reports from members of the Parish Hall Joint Management Committee (JMC) and to consider the re-structuring of the workings of the JMC – The JMC has been asked to prepare a Business Plan and Marketing Schedule which they are currently unable to produce. The Parish Council considered and discussed the responsibility of the JMC and concluded that restructuring of the JMC was necessary. Cllr. Shufflebottom agreed to join the JMC on a temporary basis until two additional councillors have been appointed in the Summer. The Parish Council also suggested that the JMC

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should meet more frequently in order to establish continuity and momentum. Councillor Shufflebottom suggested that it would be productive to meet informally with church members of the JMC to discuss the way forward and this should be arranged as soon as possible.

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 11th June 2018

Minutes taken by: the Clerk

Signed..... Date.....

APPENDIX A

**Nether Alderley Parish Council Meeting
Monday 14th May 2018 at 7.00 p.m.
Nether Alderley Parish Hall**

Schedule of Receipts and Payments

A1. Receipt of Income

03.04.18	BACS	£10,500.00	Cheshire East Council	50% Precept
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A2. Invoices for payment

1361	Legal and General	£65.44	Annual Ill Health insurance premium 2018-19	H
1362	ChALC	£75.00	Training course	H
1363	Henshaws Envirocare Ltd	£41.62	(£34.68 plus £6.94 VAT) 2 x waste collections – March 2018	E,F,G
1364	JDH Business Services Ltd	£205.20	(£171.00 plus £34.20 VAT) Internal Audit Fee	I
1365	Mrs. B.Thorpe	£786.30	Salary and expenses, May 2018	H
1366	HMRC	£16.59	Tax/NI, May 2018	H
1367	Shires Pay Services Ltd.	£50.00	Payroll - 1 st quarter 2018/19 and Pension Delegate	H
1368	Henshaws Envirocare Ltd	£42.58	(£35.48 plus £7.10 VAT) 2 x waste collections – April 2018	E,F,G

A3. Direct Debits/Standing Orders for approval

Cheshire Pension Fund	£170.00	March 2018 pension contribution Debited on or after 15 th April 2018	H
Utility Warehouse	£463.64	Parish Hall Electricity for March 2018 debited on or after 30 th April 2018 (£386.37 plus £77.27 VAT)	E,F,G

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

Additional Hours, Travel and Administration/Stationery Costs:	£656.25	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 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