

NETHER ALDERLEY PARISH COUNCIL

Minutes of the Parish Council Meeting held on Tuesday 10th October 2023 1.30pm at The Glass House Alderley Park

In the Chair Cllr. Angela Farrell

Parish Councillors present: Geoff Linnell, Dave Clarke, Jackie Wilkinson

Also present: David Naylor Parish Council Clerk

Cheshire East Cllr. (Chelford Ward) Anthony Harrison

Members of the Public: There were four members of the public present.

1. **To receive apologies for absence.** Cllrs: Sue Joseph and Lesley Gleave
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 September as a true and accurate record. **The Minutes were approved as a correct record.**
5. **To adjourn the meeting for Public Presentation.**
6. **The Planning Applications:** these were brought forward on the agenda because four members of the public were present primarily for these items:

Application No:	23/3624T
Proposal:	Oak tree on the North border of garden - remove the broken branch.
Location:	1, Maisterson Drive, Nether Alderley, SK10 4HN
Response Deadline	No required response date provided – target decision date 19 th November 2023
NAPC Response	No objection to this application

Application No:	23/3567M
Proposal:	Variation of Condition 2 on approval 20/3208M for extension to ground and lower ground floor, provision of two outbuildings and associated landscaping
Location:	Bewdley, Congleton Road, Alderley Edge, SK9 7AL
Response Deadline	25 th October 2023

NAPC Response	No objection to this application
Application No:	23/3341M
Proposal:	Conversion of barn to 1 no. residential dwelling
Location:	Corbishley Farm, Nursery Lane, Nether Alderley, SK10 4TX
Response Deadline	5 th October 2023 - Decision Date 30 th October 2023
NAPC Response	The Parish Council had no objection to this application subject to the applicant being required to address the observations of Environmental Protection in terms of noise from hours of constructions and potential contaminated land. Also in terms of flood risk – i.e. provision of a Surface Water Drainage Strategy following the drainage hierarchy, Description of how surface water will be retained within the red line boundary - Drawing showing the existing drainage infrastructure for the area to demonstrate that there is sufficient drainage to ensure no on-site flooding and description of any gardens/changes to the permeable surfaces that will be implemented following the change of use to a housing.

Application No:	23/3619M
Proposal:	Proposed redevelopment of the site to create a single Integrated Retirement Community (Use Class C2) comprising 139 no. Extra Care units; associated healthcare, wellbeing, support and amenity facilities; pedestrian and vehicular access; with associated parking, landscaping, utility infrastructure and other associated works. (resubmission of application - 22/2819M)
Location:	Heatherley Woods, Alderley Park, Nether Alderley, Macclesfield, Cheshire, SK10 4TG
Decision Target Date	1 st November 2023
NAPC Response	<p>Following significant debate and comments from the four members of the public the Parish Council objects to this application in the strongest terms for the following reasons:</p> <ol style="list-style-type: none"> 1) The original PP in 2015 states 275 homes maximum. There are now 350 and this approval would take it to 500! Almost double the initial PP 2) When the residents of Morris drive purchased their homes the plan for this application site was for houses of similar size and height as their own. These residents are now confronted with a very large and very intrusive four-storey development which is totally out of scale and out of keeping with the local area. It will dominate them. 3) Its massing and scale constitute serious over development 4) The “brutal” design of the flats has nothing in common with the residential vernacular and is very much aligned with the design of the large commercial buildings elsewhere on the site. It presents a totally aesthetic mismatch with the homes on Morris Drive and will ruin the visual appeal of the area. <p>Continued...</p>

NAPC Response Continued	<p>5) It is acknowledged in the application that there is insufficient parking provision because residents will have valet parking at the Glass House Car Park with their cars being brought to them and parked for them. However, despite this it is very likely they will be left on site and visitors will also park on site. This will demonstrate parking provision insufficiency.</p> <p>6) There appears to be an oversupply of this sort of accommodation in nearby towns and it is likely that the aims of this development will not be realised and a change of occupancy will follow from its current exclusive purchase for wealthy older people, further exacerbating the parking provision shortfall.</p> <p>7) One of the aims of overdeveloping the Heatherley Woods site seems to be to provide funding to invest in the commercial growth of Alderley Park. The commercial elements on Alderley Park should be self-funding and not paid for or subsidised by residential use.</p> <p>8) Housing provision on Alderley Park should have some provision for people who are employed on site in terms of sustainability. The aim of this development is for retired people who will have no employment on site.</p> <p>9) There is still a total lack of retail provision on the site such a convenience shop for the benefit of the circa 500 residents on site. This proposed development will add several hundred more.</p> <p>10) The development will significantly increase traffic from these new residents and their deliveries of food and goods. They are very likely to use the south entrance given the road layout and severe humps when using the North Entrance.</p> <p>11) The woods will be decimated in terms of its abundant wildlife.</p> <p>12) There will be noise and traffic and disturbance during the long construction</p>
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Application No:	23/2048M
Proposal:	Refurbishment of Eagle Lodge including restoration of original lodge building, selective demolition of existing structures and erection of single storey living accommodation extension, creation of car parking spaces, landscaping works and associated boundary treatments.
Location:	Eagle Lodge Congleton Road Nether Alderley SK10 4TD
Response Deadline	15 th October 2023
NAPC Response	The application, if approved should maintaining the hedge screening from Congleton Road of the new extension. Also does this application constitute another property over the 2015 total of 275 residential dwellings approved for this site. The adjacent gates are listed, can you ensure that this application is being considered in this light.

7. Neighbourhood Plan (NP) Progress

- 7.1 Update from the Clerk on the Production of Design Codes by AECOM and funded by locality. The Parish Council has applied to locality, and AECOM had undertaken a Zoom meeting

with the Clerk to enable them to assess the Parish Council's needs. The confirmation of acceptance of the work and grant was awaited. [The Over Alderley Design Codes](#) provide a good example. Click on the link to view them.

- 7.2 **NAPC's Section 14 Consultation Responses** – The Clerk was unable to provide a summary of the responses in the time available, especially those from Cheshire East Planners because they required planning expertise. The Clerk would continue to pursue a response from the NP Co-ordinator who continued to assure the Parish Council that he was working on the issue. [Section 14 Responses File including Cheshire East's response](#). Click on the link to view them. The Clerk would escalate this to the Neighbourhood Planning Team at Cheshire East Council. He would also try to address the issues himself and consult the CEC team on progress to obtain their sign off or suggested amendments.
- 7.3 **Results of the Public Consultation relating to borrowing** between £250,000 and £300,000 over 30 years to aid in the renovation of the Parish Hall. There had been no objections prior to this meeting of the Parish Council following the consultation leaflet delivered to each household and posted on the Parish Council's website on the 23rd of September 2023. There had also been no objections by 17th of October, the date of completing these Minutes.
- 7.4 **Feedback from the Pre-contract meeting on Tuesday 3rd October** at 10 am via Zoom. The meeting was aimed at seeking confidence in terms of the Contractor B & E Boys being able to deliver the Tender within the Tender price and timescale, confirming the start date of the first week in January 2024 and confirming the payment profile. Confidence was gained from this meeting and the payment profile will be monthly invoices based upon the work completed and information at these meetings whether any of the £72k PC and Contingencies have been used. The overall aim will be to deliver the contract within the Tender price and hopefully be able to recover some of the PC and contingency sums as unspent.
- 7.5 **NAPC Resources and Cost of the Renovation. (Enclosures 1a, 1b and 1c and 1d in the Agenda Documents Pack)**. The Clerk has updated the spreadsheet showing the Parish Council's resources to fund the Tender costs of the preferred supplier and the likely professional fees. Also, the Public Works Loans Board (PWLB) current loan repayment rates for loans of £250,000, £275,000, and £300,000. If £250,000 was borrowed there remains a cushion of circa £50,000 between the total cost of the work, including fees, and the Council's resources plus a further £20,000 cushion of general reserves. As previously stated, guaranteeing adequate cash flow by promptly recovering VAT will be key.
- As stated in Minute 7.4 above, the payment profile would be monthly payments of work completed in that month. Any potential overrun in cost which began to eat into the £72k of PC Sums and Contingences would be closely monitored each month and if necessary, cost reductions would be found within the contract to keep within the tender figure.
- 7.6 **VAT - The Potential Need to be VAT Registered** - Steve Parkinson's Final Report ([Enclosure 2 in the Agenda Documents Pack](#)). There appeared to be no other realistic option for the Parish Council than to be VAT Registered unless the Parish Council divested itself of all control of the Parish Hall by setting up a charitable trust and there wasn't time or the will to do this. Such a move may contravene the deed of gift. Mr. Parkinson had raised the issue of "gifting" use of the Hall at concessionary rates to the PCC could cause HMRC to charge the Parish Council the VAT associated with this. However, the concessionary use of the PCC would be continuing an agreement which has been custom and practice for a very long time and was enshrined in the deed of gift. As such it could not be viewed as VAT avoidance.
- 7.7 **RESOLUTIONS ON THE WAY FORWARD** - relating to acceptance of the Tender of the preferred supplier, whether to apply for a loan from the Public Works Loans Board (PWLB) and if so the loan amount and its repayment period. Also, whether to be VAT Registered: These follow below:

A) It was **RESOLVED** to seek the approval of the Secretary of State for Housing, Communities and Local Government to apply for a PWLB loan of £250,000 over the borrowing term of 30 years for the purpose of renovating the Grade II* listed Parsh Hall. The annual loan repayments will come to around £18,000. It is not intended to raise the precept for this purpose.

Proposed: Cllr. Angela Farrell **Seconded** Cllr. Geoff Linnell

B) It was **RESOLVED** to accept the from Tender B & E Boys subject to the loan from the PWLB being approved and the Faculty Application being approved

Proposed: Cllr. Angela Farrell **Seconded** Cllr. Dave Clarke

C) It was **RESOLVED** to become VAT Registered subject to a loan from the PWLB being approved and the Faculty Application being approved

Proposed: Cllr. Geoff Linnell **Seconded** Cllr. Jackie Wilkinson

7.8 Update on progress with the Heads of Terms and Faculty Application. The PCC had submitted the Faculty Application, but it was awaiting the Contract Document which the PCC had still not agreed. The Clerk had arranged an urgent meeting with the PCC to thrash out the remaining issues and underline the extreme urgency of doing so.

Mark Pearce of KPS Architects will try to obtain an interim Faculty which will enable the external pointing of the Hall to be carried out in December to preserve the planning permission. The rest of the renovation work will be carried out between the first week in January 2024 and May 2024. The interim faculty needs to be submitted by the PCC.

7.9 Alternative accommodation during the building work. The Parish Council will use meeting rooms in the Glass House Alderley Park and the meetings will be at 1.30 pm. The next use of the Parish Hall for this purpose would be for the June 2024 Committee.

7.10 Section 106 claiming procedure from the S106 Officer is still awaited. Feedback would suggest that Cheshire East Council (CEC) is reorganising the whole of the s106 system and she is at the centre of this with a heavy workload. The Clerk will visit the Macclesfield Office of Cheshire East to try and have a face to face with her. Councillor Harrison is also seeking a meeting with her. Failing this the Parish Council need to proceed with what we have and try to register our contractor(s) as direct payees from the s106 allocation (£163k) so that CEC will pay them and recover the VAT. Two Finance contacts have been supplied for the Clerk to liaise with.

8. Fund Raising Matters

Chell Perkins - Update on progress. Letters have been sent to local developers considered to be stakeholders in the Parish who may be willing to help fund the Hall's renovation. Responses are awaited.

9. The Unity Trust Bank Account was now live and accruing interest. **Cllr Signatories need to register for on-line banking** – these councillors will have had a registration letter. £1,450 had been transferred from the Council's building society account to keep its funds within the Financial Services £85,000 protection scheme.

10. Annual Governance and Accountancy Review (AGAR) External Audit's Completion of Audit (Enclosure 4 in the Agenda Documents Pack)

This revealed to three issues:

1) Corrections to the staff payments and other payments were needed due to a coding issue within the accounts system. Backpay and overtime were included by the Clerk in 2022/23 as extra budget line items, and he coded them to "staff payment". However, Scribe Accounts allows some staff payments to be included or excluded from the AGAR staff payments box, presumably in case audit rules in the future need to do this. The "include" box had not been

ticked for these added items. As such they had been included in other payments rather than staff payments. This has been corrected in the restated AGAR. Ironically all accounts submitted to parish council had the correct costings and the issue was only related the AGAR return.

2) [The Risk Assessment](#) for 2021/22 was done in April 2023.

3) The Parish Council's Building Society Savings Account should be in name of the Parish Council and not in the name of four Councillor Trustees acting on behalf of the Council. There is no risk associated with this because two trustees are needed to sign for any withdrawal and withdrawals are restricted to a transfer to the Parish Council's Current account with our High Street Bank. Correcting this matter is still under review because the Building Society rules only allow trustees with full account authorisations to be a principal account contact and that excludes the Parish Clerk who should not have full account authorisation.

All the AGAR documentation is on the noticeboard and website which also shows how residents can be sent a copy of the accounts or can arrange with the Clerk to view them at the Parish Hall. It was **RESOLVED** to receive the report and note its contents.

Proposed: Cllr. Dave Clarke **Seconded:** Cllr. Angela Farrell

11. Finance Schedule (Appendix A)

11.1 **Resolved to note receipt of income, as listed in schedule (A1)**

Proposed: Cllr. Dave Clarke **Seconded:** Cllr. Angela Farrell

11.2 **Resolved to approve items for payments as listed in schedule (A2)**

Proposed: Cllr. Jackie Wilkinson **Seconded:** Cllr. Geoff Linnell

11.3 **Resolved to approve direct debit/standing order as listed in schedule (A3)**

Proposed: Cllr. Geoff Linnell **Seconded:** Cllr. Angela Farrell

11.4 **Resolved to consider and approve the Clerk's expenses as listed in schedule (A4)**

Proposed: Cllr. Dave Clarke **Seconded:** Cllr. Jackie Wilkinson

12. **Quarterly Balance, Bank Reconciliation and Reserves Balance (Enclosure 5 in the Agenda Documents Pack).** These show the finances of the Parish Council to be sound, in accordance with budget, bank holdings, reserves and in line with the projected end of year budget outturn.

It was **RESOLVED** to receive the report and note its contents.

Proposed: Cllr. Geoff Linnell **Seconded:** Cllr. Angela Farrell

13. To Consider Decisions on Planning Application

[23/1685M](#) Refused

Decision Date: 25th September 2023

Beacon Lodge, Macclesfield Road, Nether Alderley, SK10

Two single storey outbuildings, associated hard standings, replacement entrance gates and boundary treatments.

[23/3181M](#) Approved with conditions

Decision Date 28th September 2023

April House, Congleton Road, Alderley Edge, Cheshire, SK9 7AL

Variation of condition 2 on approved application [22/3619M](#): Construction of new infill dwelling including landscaping, infrastructure, and access works.

[23/2598M](#) Approved with conditions

Decision Date 21st September 2023

4, Welsh Row, Nether Alderley, Cheshire, SK10 4TY

Removal of existing single garage to side. Erection of single storey side extension with open porch to front elevation.

23/1967M Approved with conditions

Decision Date 12th September 2023

Millers Gate, Congleton Road, Alderley Edge, SK9 7AD

Variation of Conditions 2,5,4,6a,9 &11 on 22/0739M - Demolition of existing dwelling in a conservation area and its replacement with a detached dwelling, garage, landscaping and associated works.

23/3049M Approved with conditions

Decision Date 13th September 2023

6, Maisterson Drive, Nether Alderley, SK10 4HN

Single storey motorised aluminium bladed pergola roof located on the rear elevation.

14 Cllr Harrison advised the meeting of the following:

- Regarding the Paddle Courts and the “billboards” he would raise the matters with CEC and Alderley Park.
- Regarding the Symphony Park Development he would put out a letter to residents encouraging them to provide their views to Cheshire East.
- Regarding the Section106 issue he was communicating on the Group Chat of the Conservative Group and was trying to have a meeting with the Section 106 Officer.
- There was a new Police Officer now in post for the Chelford Ward.

He was thanked for his report and the help he was providing for the Nether Alderley Parish

15. Councillor Vacancies

The Notice of Casual Vacancies had not produced a request for 10 electors to request an election and the vacancies would be filed by co-option at the November Council meeting.

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 at this meeting).

16.1 **Cllr Linnell:** It was disappointing that there was still no Alderley Park (AP) Liaison meeting date agreed. Good community activity being proposed by AP but no mechanism to let the community know about the events.

16.2 **Cllr Linnell:** The Path past Heawood Hall Cottage has been closed for over 6 months due to the small 2 metre wooden bridge having a broken piece of wood. This causes a dead end for walkers coming across the footbridge over Melrose Way. Cllr Anthony Harrison indicated he would investigate the matter for next meeting.

16.3 **Cllrs Clarke and Linnell:** Three paddle courts at Alderley Park, replacing three of the four tennis courts, had not been the subject of a planning application. Also, the outstanding planning decision on the Alderley Park “Billboard” Application.

17. To confirm the next Council meeting is:

Tuesday 14th November 1.30 pm

Venue The Glass House Alderley Park

Note the Venue and TIME

APPENDIX A

Nether Alderley Parish Council Meeting Tuesday 10th October 2023

Schedule of Receipts and Payments

A1. Receipt of Income - Month of September

Current Account Nil

Reserve Account £29.00

Unity Trust Savings Account £82.88

A2. Invoices for payment

Ch. No.	Provider	Total Cost	Net of VAT	Service Provided	VAT	Power
1704	Shires Accountants	£135.00	£112.50	Payrole	£22.50	H
1705	Virus Checker	£9.99	8.32	Renewal McAfee for B Thorpe	£1.67	H
1711	123 Reg Cheque 1706 Cancelled	£61.16	£50.97	Domain Renewal Refund to the D M Naylor Clerk	£10.19	P
1707	David Naylor Parish Clerk	£720.26	£712.59	Clerk's Salary and Expenses July August payment	£7.67	H
1708	HMRC	£458.18	£458.18	Tax/NI for September October Payment	£0.00	H
1709	Print IT	£285.00	£285.00	Newsletter and Flier	£0.00	H
1710	PKF Littlejohn	£378.00	£315.00	External Audit Intermedial Review	£63.00	H

A3. Direct Debits/Standing Orders for approval

Provider	Total Cost	Net of VAT	Service Provided	VAT	Power
No Direct Debit		Smart Meter not sending to EDF	EDF is visiting to resolve. (Meter is recording)		

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

Travel 103 miles @ 45 pence per mile = £46.35

The Cartridge People Ink Cartridges £19.23 plus £3.85 VAT = £23.08

Rymans Paper £5.83 plus £1.16 VAT = £6.99

Rymans Tippex Mouse £4.16 plus £0.83 VAT = £4.99

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

Total Expenses £100.18 plus £10.49 VAT = £92.41

Plus, Salary - Contracted 65 hours @ 13.95 per hour = £906.75 (Gross)

Plus, Overtime – 10 hours @ 13.95 per hour = £139.50 (Gross)

Total Gross including expenses = £1,138.66

Total Less Tax of £418.40 = £720.26 (£712.59 plus £7.67 VAT)

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

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