

# MINSHULL VERNON & DISTRICT PARISH COUNCIL

(Leighton, Minshull Vernon and Woolstanwood)

Clerk: Carol Jones

Tel: 01270 812065 e-mail: [carol.jones44@btinternet.com](mailto:carol.jones44@btinternet.com)

Website: [www.minshullvernonparish.org.uk](http://www.minshullvernonparish.org.uk)

## NOTICE OF PARISH COUNCIL MEETING

Parish Councillors are summoned to a meeting of the Parish Council to be held on –

**DATE: MONDAY, 30 JANUARY 2012**

**NOTE TIME: 7.00 PM**

**VENUE: ST PETER'S CHURCH,  
MINSHULL VERNON**

Enquiries to: Clerk: Carol Jones Tel: 01270 812065

Chairman: Doug Forrest: Tel: 01270 584056

Signed



To: Members of the Parish Council  
[W Barnes, W T Beard (Vice-Chairman), D N Bebbington, I Chenery, B Evans,  
D Forrest (Chairman), K Halford, R Hollinshead, L Horne, Mrs L Horne, M McGlone,  
B Palin, D Preece and M Wilson]

cc: Cheshire East Ward Councillors M Jones (Bunbury)  
M J Simon and M J Weatherill (Wistaston)  
D N Bebbington (Leighton)

cc: Cheshire East Cabinet Member Councillor Rachel Bailey

**MEMBERS OF THE PUBLIC ARE WELCOME TO ATTEND THIS MEETING**

## NOTES:

### 1) Members of the Public

The Parish Council welcomes and encourages members of the public to attend its meetings. You are requested to enter and leave quietly and to remain quiet during the meeting. Mobile phones and pagers should be switched off, and no food or drink should be brought into the meeting.

The Parish Council has a Public Question Time Procedure and members of the public are able to ask questions during the 10-minute slot in the early part of the meeting. In addition, if you feel there is a matter which should be brought to the attention of the Parish Council you may contact the Clerk, the Chairman, or any member of the Parish Council, and arrangements can be made to place the item on the agenda for the next meeting, if appropriate.

On occasions, members of the press and public will be excluded from the meetings when the business to be transacted is of a confidential nature; for example, dealing with individual people, contracts and financial affairs of other parties.

### 2) Parish Councillors

#### A) Notice of items

The Parish Council cannot lawfully decide any matter which has not been specifically included on the agenda, and there is statutory authority to this effect (*Longfield Parish Council v Wright (1918) 88 LJ Ch 119*).

**B) Planning Grounds** The grounds on which comments can be made on planning applications are as follows –

- |   |  |    |   |
|---|--|----|---|
| 1 | Development Plan in all its aspects                                  | 8  | Appropriateness of use taking account of local area |
| 2 | Government legislation and guidance (PPG)                            | 9  | Effect on highway safety and parking                |
| 3 | Siting   | 10 | Landscape   |
| 4 | Design   | 11 | Listed buildings                                    |
| 5 | External appearance  | 12 | Conservation areas                                  |
| 6 | Compatibility with street-scene                                      | 13 | Land contamination                                  |
| 7 | Development effect on neighbouring properties, amenities and privacy | 14 | Flooding  |

#### **Non-Relevant Matters**

- |   |   |   |   |
|---|---|---|---|
| 1 | Matters controlled by other legislation | 6 | Business competition                    |
| 2 | Effects on private rights               | 7 | Personal circumstances – health/finance |
| 3 | Provisions in covenants/deeds           | 8 | Ownership                               |
| 4 | Effect on property values               | 9 | Moral issues                            |
| 5 | Private opinions                        |   |   |

Note: If the Parish Council agrees, in principle, with an application, but not in all aspects, suggestions for “development conditions” can be made, in line with relevant factors.

---

# **A G E N D A**

## **1 APOLOGIES FOR ABSENCE**

Please ensure that apologies for absence, where possible, are notified to the Clerk by noon on the day of the meeting.

## **2 DECLARATION OF INTERESTS**

Members to declare any personal or prejudicial interest which they have in any item of business on the agenda, the nature of that interest, and, if necessary, to leave the meeting prior to the discussion of that item.

Declarations are a personal matter for each Member to decide. Whilst the Clerk will advise on the Code of Conduct and its interpretation, the decision to declare, or not, is the responsibility of the Parish Councillor, based on the particular circumstances.

## **3 MINUTES [19 DECEMBER 2011]**

To approve as a correct record the Minutes of the Meeting held on 19 December 2011.

## **4 MATTERS ARISING (not detailed elsewhere on the agenda)**

### **4.1 Fly-tipping: Response from Councillor R Menlove (Cheshire East Council Cabinet Member)**

## **5 CHESHIRE EAST COUNCIL – PLANNING SITE INSPECTION PROTOCOL ADDRESS BY CABINET MEMBER, COUNCILLOR RACHEL BAILEY**

At its meeting held on 7 November 2011, the Parish Council received a report that the Chairman had attended the Strategic Planning Board and had spoken on behalf of the Parish Council in respect of the hybrid application at Parkers Road. He had also attended a site visit in connection with this application. He reported to the Parish Council on 7 November that neither the Ward Councillor nor he as Chairman of the Parish Council had been permitted to speak during this visit and he considered this to be a breach of the Site Inspection Protocol.

It was agreed that Councillor Rachel Bailey (Cheshire East Council Cabinet Member) be invited to address the Parish Council to explain the site inspection procedure. A copy of this procedure was provided for Members at the meeting held on 19 December 2011.

**Councillor Bailey has confirmed that she will be in attendance.**

## **6 CALENDAR OF MEETINGS 2012**

On 7 November 2011, the Parish Council agreed that its meetings should be held on the third Monday of each month, commencing at a new time of 7.00 pm. The community hall is booked on the second and third Mondays of each Month. The Parish Council is now invited to consider holding its meetings either on the first Monday or the fourth Monday of each month. Dates for each are as follows; it will be noted that there are some occasions when the venue is not available:

### **First Monday**

6 February

**Note (the 5 March is not available)**

**9 April (the 2 April is not available)**

7 May (recommended option)

### **Fourth Monday**

27 February

26 March

23 April

28 May

Although the Parish Council will not be approving a schedule of meetings for the Municipal Year 2012-2013, until its meeting in May 2012, the following are the indicted dates dependent on whether the Parish Council opts for the first or fourth Monday each month.

**First Monday**

4 June  
2 July  
6 August  
3 September  
1 October  
5 November

**Fourth Monday**

25 June  
23 July  
27 August  
24 September  
22 October  
26 November

**Budget Meeting: to be held on either the first or the fourth Monday, whichever has not been “ear-marked” for the main meeting.**

3 December  
(this is the only date available in December – the fourth Monday is Christmas Eve.)  
7 January 2013  
4 February  
4 March  
1 April  
6 May (Annual Meetings)

28 January  
25 February  
25 March  
22 April  
27 May

**5 PUBLIC QUESTION TIME (10 MINUTES)**

In accordance with the Parish Council’s Standing Orders, a period of 10 minutes is allocated for members of the public to ask questions.

**6 POLICE MATTERS**

To receive an update in respect of any police matters within the parish.

**7 ASSETS REGISTER**

To review the Assets Register – a copy of the register is attached. This has not been updated since 2009.

**8 DIAMOND JUBILEE 2012**

**8.1 Joint Event with St Peter’s Church**

The Clerk has written to the Reverend Philip Goggin (St Peter’s Church) advising him that the Parish Council is prepared to organise a joint event with St Peter’s Church. At the previous meeting a small Working Party comprising the Chairman and Councillors Les Horne and Linda Horne was appointed. The Clerk is making arrangements for a meeting of the Working Party with members of the Parochial Church Council to discuss the detailed arrangements.

**8.2 Commemorative Items for Pupils at Local Schools**

At the last meeting, Members discussed the possibility of the purchase of commemorative items to be given to each pupil at both Mabllins Lane School and Leighton Primary School.

There are various items offered by a number of suppliers, including –

- Bookmarks – the name of the school can printed on the bookmarks
- Paperweights – two designs
- Mugs [£3.50 per mug (quotation acquired by Keith Halford) ].

**8.3 Cheshire East Council Support**

Cheshire East Council has a dedicated web-page giving advice to community organisations, in respect of various types of events to be held to mark the Diamond Jubilee.

## 9 PLANNING MATTERS

9.1 The Parish Council is invited to comment on the following planning application. The deadline date for comment was 24 January, but an extension to 31 January 2012 has been granted.

- **11/4557W - Hole House Gas Storage Facility**

### 9.2 Affordable Housing

The Localism Act which received Royal Assent in November 2011 will have an impact on parish councils; in particular, town and parish councils will have more influence over planning within their parishes. Following the enactment of the Bill, Arley Homes, a housing development company, has made contact with the Parish Council seeking its views on the need for affordable housing within the parish. Members are invited to consider this matter and a letter from the company is attached.

## 10 FINANCIAL MATTERS

### 10.1 Budget Proposals – 2012-2013

To report that the Clerk has requested a precept of £37,800 from Cheshire East Council. This is usually paid in two parts, the first being paid soon after 1 April and the second in September.

A copy of the agreed budget proposals has been attached to the official set of minutes of the meeting held on 19 December 2011. An extract from the minutes is appended below to show the calculations taken into account.

The proposals submitted amounted to £36,910; the addition of £10,000 for an event to mark the Diamond Jubilee (possibly as a joint event with St Peter's Church) brought the total costs for 2012/2013 to £46,910. Following calculations made in the meeting, this would require a precept of £37,800 calculated as follows:

	£	£
Forward year proposals:	46,910	
<b>ADD</b> Working balance	3,000	49,910
<b>LESS</b> Estimated balance available on 1 April 2012	(12,092)	37,818

Precept rounded down to **£37,800**.

**RESOLVED:** (a) That the Clerk be authorised to request a precept of £37,800 from Cheshire East Council, subject to the outcome of a re-calculation of the proposals;

(b) That in the event of an adjustment being required, the Clerk be authorised to amend the precept request, in consultation with the Chairman, up to a maximum increase of £5,000, or a reduction to the same extent, in accordance with S.101(1) of the Local Government Act 1972;

(c) That a Working Group comprising Councillors D C Forrest, Les Horne and Linda Horne be established to meet with Church representatives at an early opportunity, to give initial consideration to arrangements for a joint Diamond Jubilee event between the Parish Council and the Church;

(d) That Parish Councillor R Hollinshead be thanked for his offer to make initial contact with one of the key members of the Parochial Church Council; and

(e) That the Parish Council be notified of the precept requested at its next meeting.

**10.2 Receipts and Payments Statement for the Third Quarter  
[1 April 2011 – 31 December 2011]**

The Parish Council is asked to approve the Receipts and Payments Statement for the period ended 31 December 2011.

**10.3 Authorisation of Payments**

The Parish Council is asked to approve the following payments –

£104.80 HM Revenue & Customs – tax in respect of the Clerk’s salary for Months 11 and 12 (months ended 5 February 2012 and 5 March)  
These payments conclude the liability in respect of the year 2011-2012. There may be an adjustment payment required at the March meeting. A statement of tax paid will be submitted to an early meeting to provide assurance that the Parish Council has met its tax liability.

£45.90 Mrs C M Jones – travel expenses for attendance at the following meetings:  
7 November 2011  
14 November (Budget Meeting)  
19 December 2011

34 miles per journey [ie Audlem-Minshull Vernon return] x 45P per mile  
(tax-neutral rate) x 3 = £45.90

£48.00 CVS – second half-year payment for administration of the payroll system.

**11 SPEED WATCH SCHEME (INCORPORATING ACTIVITIES ASSOCIATED WITH THE TRAILER-MOUNTED VEHICLE DISPLAY UNIT)**

**11.1 Report on the Speed Watch Scheme**

Councillor Les Horne to report.

**11.2 Vehicle Speed Display Posts – Leighton School and Mablins School**

To update the Parish Council on progress in respect of this scheme.

**11.3 Vehicle Speed Scheme at Whalleys Green**

To update the Parish Council on progress in respect of this scheme.

**11.4 Risk Assessment – Trailer Mounted Vehicle Display Unit**

To consider and approve a risk assessment for the trailer-mounted vehicle display unit.  
Councillor M McGlone to report.

**12 SPECIAL EVENT TO CONFER HONORARY FREEMAN STATUS ON FORMER PARISH COUNCILLORS CHARLESWORTH AND WHITTINGHAM**

At the previous meeting, the Parish Council agreed that a special meeting be held in March to confer Honorary Freeman status on former parish councillors John Whittingham and Marshall Charlesworth. There are no dates available in March if the event is to be held in the community hall. The Clerk has asked for available dates in April and will report to the meeting. In the meantime, the Parish Council is asked to consider the following:

- Catering: Numbers to be catered for; maximum cost per head; menu.
- Number of guests to be invited by each of the recipients of the honour.
- Proposed framed certificate (sample attached for consideration).

Johnsons, the Printers (Nantwich) has quoted £40 for the design of a certificate, based on the attached and a total figure of £28 for each certificate, printed on a vellum material and framed using non-reflective glass.

### 13 BOROUGH COUNCILLORS' REPORTS

This is an opportunity for any Borough Councillors in attendance to report on Cheshire East matters which may be of interest to the Parish Council (Councillors M Jones, M J Weatherill, M J Simon). Note: Borough Councillor D N Bebbington is also a parish councillor.

### 14 ITEMS REQUESTED BY PARISH COUNCILLORS

The following items have been requested by Councillor Les Horne:

- (i) Whalleys Green – overgrown hedging
- (ii) Bunbury Police Cluster Meetings: The Police have requested a small contribution from all Parish Councils in the Bunbury Cluster towards the cost of room hire for the meetings.
- (iii) CEC Website – Shared Information. To report that Cheshire East Council has a shared communications website for town and parish councils to upload information. Items such as calendar of meetings, announcements and discussion forum are included.

### 15 CREWE AND NANTWICH LOCAL AREA PARTNERSHIPS

Representatives to report on recent LAP meetings.

### 16 CORRESPONDENCE

To report receipt of correspondence received since the last meeting and take any action as appropriate.

- **The Localism Bill** has now received Royal Assent and has the following implications for town and parish councils.

In general terms, Parish Councils have very few duties to perform, but they have power to take action. Unlike “normal life” where one can go about one’s business unless there is a law which prevents it. Parish Councils can only do that which is permitted by the law. It cannot do anything unless permitted by legislation. If the law is silent on any matter, this generally means that there is no power to make the proposed decision. Notwithstanding this, there are very few activities which the Parish Council cannot undertake, but it is important to identify the appropriate legal power for every action.

Notwithstanding the above, The Localism Bill, which has now received Royal Assent, has introduced a “general power of competence” which empowers town and parish councils to do anything which an individual can do which is not specifically prohibited; the example cited is that it cannot impose new taxes, as an individual has no power to tax. The Secretary of State has the power to remove unnecessary restrictions and limitations where there is a good case to do so, subject to safeguards designed to protect vital services.

It is expected that the Cheshire Association of Local Councils will produce a Legal Topic Note on this subject outlining the key implications for parish councils and the practical application of those provisions which apply.

- Fire Authority – Letter from the Chairman of the Fire Authority relating to the Fire Brigade’s Union seeking support in respect of its position regarding a shared North-West Control Centre in Warrington for handling and mobilising to emergency fire calls.
- Cheshire Community Action – Event 7 March – Connecting Communities
- Nominations to attend the Royal Garden Party – this is restricted to Chairmen of Parish Councils and their spouse
- ChALC E-Bulletin – 20 January 2012
- Article from a recent “Clerks and Councils Direct” – Legal Matters “The role of councillors” which might be of assistance to the newer Members of the Parish Council.

**17 SHARED INFORMATION**

Parish Councillors are invited to share information and/or request items for inclusion on the next agenda.

Pot-holes and other matters relating to highway maintenance can be reported direct by Members to Cheshire East Council through its website ([www.cheshireeasthighways.org](http://www.cheshireeasthighways.org)) or by phoning 0300 123 5000. **Note: decisions cannot be made under this item.**

**18 EXCLUSION OF PRESS AND PUBLIC**

The Parish Council is invited to RESOLVE to exclude the press and public from the meeting during consideration of the following item in accordance with the Public Bodies (Admission to Meetings) Act 1960 on the grounds that the matter to be discussed is of a confidential nature and the public interest would not be served in disclosing the information.

**19 DERELICT HOUSE**

To report the Borough Council's response to the Parish Council's request in respect of this matter.