



Shavington-cum-Gresty Parish Council

Clerk: Carol Jones

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**Parish Councillors are summoned to a
MEETING OF THE PARISH COUNCIL**

DATE: WEDNESDAY, 1 FEBRUARY 2017

TIME: 7.15 pm

VENUE: SHAVINGTON VILLAGE HALL
SHAVINGTON

Enquiries to: Clerk: Carol Jones

Issue date: 26 January 2017

Signed

To: Members of the Parish Council
Councillors Gillian McIntyre (Chairman), W McIntyre (Vice-Chairman), V Adams,
E Ankers, S Cheshire, B Cooper, M Ferguson, B Gibbs, K Gibbs, R Hancock, A Yoxall
and P Yoxall

Copies: Borough Councillor Steven Edgar
Police representatives

Note: Members of the public are asked to print their own copy of the agenda from the website. Members of the public without access to the Internet are asked to contact the Clerk by no later than noon on the day of the meeting to ensure that spare copies of the agenda are available at the meeting.

A G E N D A

1 APOLOGIES

Apologies for absence should be notified to the Clerk by noon on the day of the meeting, if possible. **Councillor A Yoxall**

2 DECLARATION OF INTERESTS

Members to declare any disclosable pecuniary interest or non-pecuniary interest which they have in any item of business on the agenda, the nature of that interest, and in respect of disclosable interests, to leave the meeting prior to the discussion of that item.

Whilst the Clerk can 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

To approve as a correct record, the Minutes of the meeting held on 4 January 2017. ...

4 MATTERS ARISING (Not detailed separately elsewhere on the agenda)

To report that the Clerk has taken action in respect of the following items:

- Overhanging tree – opposite to the village hall
Letter sent to the school asking for it to be cut back.
- Faulty street light on 'Piccadilly'.
Reported to Cheshire East Council.

5 BOROUGH COUNCILLOR STEVE EDGAR

Councillor S Edgar to report on Cheshire East Council matters of interest and provide an update in respect of outstanding parish matters.

6 PUBLIC QUESTION TIME

Members of the public are able to ask questions, or address the Parish Council in respect of any item on the agenda, or any matter relevant to the Parish Council's business and the local area.

Each member of the public is permitted to speak for a maximum of five minutes.

Members of the public are reminded that this is the only opportunity for participation in the meeting.

7 NEIGHBOURHOOD PLAN

To receive an update from the Neighbourhood Plan Steering Group. Mr W Atteridge, the Chairman of the Group, will be in attendance and will report to the meeting.

8 POLICE MATTERS

8.1 Report of PCSO

To receive the Beat Manager's latest report and to receive a report from the PCSO(s) in respect of Police matters in the parish.

PC Cross has not yet finalised the Beat Manager's report, but it is expected to be available prior to the meeting.

9 COMMITTEES

9.1 Communications Committee – 18 January 2017

To receive the Minutes of the Communications Committee meeting held on 18 January 2017. To follow
The Council is invited to consider the recommendations made by the Committee.

Woodnoth Coat of Arms

The Committee has considered the revised digitised Coat of Arms and recommend the Parish Council to approve it. To follow

9.2 Village Hall Management Committee – 25 January 2017

To receive the Minutes of the Village Hall Management Committee meeting held on 25 January 2017 and to approve the Committee's recommendations. To follow

A Village Hall Projects

Contract: Bespoke Property Solutions has accepted the terms of the contract for the projects at the village hall, other than the payment arrangements. Members will recall that payment was to be by cheque at the completion of the work. The company has asked for staged payments, and this matter was considered by the Village Hall Management Committee at its meeting held on 25 January 2017.

At that meeting, an issue about the contents of the contract itself was raised. One of the Members, who had not been present at the meetings when the specification and quotation was approved, commented that the contract is inadequate as it stands as it is too broad in nature.

The view expressed, which has been accepted by other Members of the Committee, is that as the contract lacks sufficient detail, it leaves scope for cheaper materials to be used, which could possibly be inferior in quality. Although the contract is to be monitored by the Clerk during completion of the work, the Clerk can only insist on work being carried out to the specification as identified and could not, for example, insist on a particular brand of paint being used.

The examples given by the Member included the following:

- The manufacturer of the paint to be used has not been specified, nor the colour or finish (matt, gloss, chalk etc.). Although trade paint can be of good quality, this should have been specified.
- LED lighting: type, quality and number not specified.
- Tiling for the toilets not referenced.
- Remedial work on the ceiling. Type of remedial work not specified.
- Altro and coved-up walls in the toilets. Colour and finish not specified.

The Committee did not reach a specific recommendation but decided that in view of the points raised, the Parish Council should consider how to proceed, which may or may not, include re-drafting the specification.

For ease of reference, a copy of the approved contract is enclosed and has been annotated to show where more detail should have been specified. ...

Payment Arrangements:

The Committee considered Bespoke's request for staged payments which required a sum of £20,000.00 to be made 14 days prior to the start of the work (i.e. 13 March 2017).

Members were of the view that reputable companies usually had sufficient working capital to be able to purchase supplies prior to the start of a project and have, therefore, recommended that payments should be as follows:

£9,738.00 To be paid 14 days prior to the start of the work, i.e. 13 March 2017

The remainder of the payments should be two further payments of £10,000.00 each, evenly spaced throughout the project, with a final payment of £20,000.00 being made after completion of the project and subject to satisfactory completion of the snagging process.

B Gas Cover

The Parish Council is asked to approve renewal of the Careplan cover, by British Gas, for the period commencing 5 March 2017.

10 FINANCIAL MATTERS

10.1 Independent Audit of Accounts (2015-2016)

To report that the Clerk has provided the accounts to the independent auditor. He has requested information for the three years 2013-2014, 2014-2015 and 2015-2016. As the Clerk only has accounts information for 2015-2016, BDO LLP the external auditor has been able to provide some minimal information for 2013-2014. The Clerk has been able to provide some documentation for 2014-2015 but receipts and invoices for that year were not transferred from the previous Clerk.

10.2 Authorisation of Payments

The Parish Council is asked to authorise the following payments. Any additional payments will be reported to the meeting.

A <u>Parish Council Payments</u>		
£859.32	Mrs C M Jones	Net Salary (November 2016)
£269.51	HMRC	Tax/NI on Clerk's salary
£15.00	A J Hardy Ltd.	Payroll service.
£25.00	C Willetts	Website maintenance
£43.00	D Espley	Playground inspection
£875.50	M Webster & Son Ltd	Grounds maintenance work (£710.84 net and £142.16 VAT)
£200.00	Mrs C M Jones	Reimbursement for payment made to Adam Capper, photographer, for Neighbourhood Plan work.
<p>At the November 2016 meeting, a cheque for £200.00 was authorised. The cheque was withheld pending receipt of the invoice. This was received in due course and the cheque was posted to Mr Capper on 22 December, but he has not received it.</p> <p>The Clerk has cancelled this cheque through the bank and has issued a personal cheque for the amount, and has received a confirmation e-mail from Mr. Capper, that he has received this cheque.</p>		
£108.00	Shavington Village Festival Committee	Fee for advertising in Village Voice (Four x £30.00 per ad, less discount for prompt payment).
B <u>Village Hall Payments</u>		
£215.00	Mrs B Fraser	Cleaning of the village hall – December 2016
£tba		Cleaning of the village hall – January 2017
£44.48	Mrs V Adams	Village Hall supplies.
£104.70	North Staffs Fire Service	Annual inspection.

£353.50	British Gas	British Gas – renewal of Careplan cover for gas services. (£294.58 net and £58.92 VAT)
£117.66	ASH Waste	Invoice 379387 (£98.05 net and £19.61 VAT) This is the December invoice which was not received. An invoice for January 2017 is expected to be available for the meeting.
£100.00	S Castellano	Window cleaning. The cheque for £50.00 approved in December and posted to Mr Castellano has not been received by him. The Clerk has cancelled this cheque with the bank.

10.3 Requests for Financial Aid

The Parish Council is invited to consider two requests for financial aid.

(a) North-West Air Ambulance (covering Cheshire and Wirral)

The air ambulance helicopters operate 365 days each year with doctors and paramedics on board providing advanced medical treatment within minutes after an injury or severe illness. Without the service, many critically injured patients would not survive.

This service is funded solely through public donations.

In the period April 2015 to March 2016 the NWAA attended 435 incidents in the Cheshire and Wirral area including road traffic accidents, sporting injuries, medical trauma, hospital transfers, falls and industrial accidents. The cost of providing the service across the North West amounted to £7,313,104.00.

This request does not fall within the scope of the Parish Council's small grants scheme as it is not a local group; however, S.137 of the Local Government Act 1972 allows councils to make donations, subject to limits, to provide for items not otherwise authorised, for the benefit of some or all parishioners. The limit is based on the electorate and is currently £7.36 per elector.

(b) Mid-Cheshire Against HS2

This organisation is an action group established in 2013 with the aim of helping residents to understand the effect of HS2 in the Mid-Cheshire Area and campaigning for changes to the project that will make the lives of residents, both private individuals and businesses, as tolerable as possible and to ensure that mitigation means are maximised and that residents affected by HS2 are successful in receiving fair and proportional compensation.

The area covered is from Wimboldsley in the South, through to Wincham in the North.

This request also does not fall within the scope of the Parish Council's small grants scheme, particularly as this is a political organisation.

The Clerk is of the view that this does not, necessarily, fall within the scope of S.137, but this will be a matter for interpretation by the Council.

For information, S.137 is a power which allows a local council to make payment where there is no other specific statutory authority. Where the council has an unrestricted specific statutory power to spend money, S.137 cannot be used; for example, S.19 of the Local Government (Miscellaneous Provisions) Act 1976, allows a local council to contribute by way of grant or loan towards the expenses incurred or to be incurred by any voluntary organisation in providing recreational facilities. In these circumstances, it would be S.19 (LG(MP)Act 1976) which would be used, and not S.137.

Where there is a statutory prohibition on a council carrying out a particular function, S.137 cannot be used to avoid the prohibition.

The council must be satisfied that there is a direct benefit to the area or part of the area, or to some or all of the inhabitants. The council is the body to determine whether or not such benefit will accrue and the decision could only be challenged on the ground that it was wholly unreasonable. The term 'some' means that the council cannot use the power to benefit a single individual.

11 PLANNING MATTERS

11.1 Planning Applications

The Parish Council is invited to comment on the following planning applications. The applications can be viewed on-line online at www.cheshireeast.gov.uk.

17/0089N 8 Meadow Close, Shavington CW2 5BE
Proposed rear kitchen extension.

Deadline date for observations: 27 January 2017. The Clerk has requested an extension.

16/6129N Land at 414 Newcastle Road, Shavington
Approval of reserved matters from existing permission 13/4675N approved at appeal. Refer to drawings in relation to access, appearance, landscaping, layout and scale.

Deadline date for observations: 27 January 2017. The Clerk has requested an extension.

17/0203N 15 Mercian Close, Shavington, CW2 5ES
Single-storey flat roof rear extension, roof light and window combination to rear.

Deadline date for observations: 13 February 2017.

11.2 Planning Application No. 16/4597N – 138 Main Road, Shavington

To report that this application is currently being determined by the Planning Case Officer who is minded to refuse it, although the formal decision has not yet been taken.

11.3 Planning Applications Decided

The following planning applications have now been determined by Cheshire East Council.

16/1698N	Modify Section 106	Shavington (2011), Wybunbury (2011)
Applicant	Aspire Housing & Persimmon Homes C/O AGENT	
Agent	Arthur Chapman, Crofton Solicitors LLP The Lexicon, Mount Street, Manchester, M2 5FA	
Location	Land South of NEWCASTLE ROAD, SHAVINGTON AND WYBUNBURY	
Proposal	Changes to section 106 agreement - Affordable housing on application 12/3114N - Outline Application for Residential Development of up to 360 dwellings, Local Centre of up to 700 sqm (with 400 sqm being a single convenience store), Open Space, Access Roads, Cycleways, Footpaths, Structural Landscaping, and Associated Engineering Works	

16/5865N	Approved with conditions	Shavington (2011)
Applicant	Mr & Mrs M Jones 152, CREWE ROAD, SHAVINGTON, CHESHIRE, CW2 5AJ	
Agent	Mr T R Tew 25, GINGERBREAD LANE, NANTWICH, CHESHIRE, CW5 6NH	
Location	152, CREWE ROAD, SHAVINGTON, CHESHIRE, CW2 5AJ	
Proposal	Two storey and single storey rear/side extension.	

12 CLEAN TEAM (OUTSTANDING ITEM)

The Parish Council agreed that the Environment Committee should give consideration to the creation of a Clean Team, comprising residents and parish councillors. This was due to be discussed at the November meeting but was omitted from the agenda; however, the Committee is meeting on 7 February 2017 and this matter will be considered at that time.

13 FIXED VEHICLE-SPEED DISPLAY UNIT (OUTSTANDING ITEM)

The Cheshire East Highways Road Safety Officer who was dealing with the location for the speed display unit, has now left the Authority and the Clerk is waiting to be notified of her replacement. TWM Traffic Management Services Ltd. has manufactured the unit and is waiting for delivery instructions.

It is expected that there will be an update at the March meeting.

14 CORRESPONDENCE

14.1 To note that the following correspondence was issued to Members under separate cover.

Cheshire Association of Local Councils e-bulletin	19 January 2017
PCSO Duty Rosters	24 January 2017

14.2 St John's Methodist Church

To report that St John's Methodist Church has changed its name to '*Shavington Methodist Church*'. The notice-board at the front of the church is to be replaced and will bear the new name.

A link from the Parish Council's website to the church has now been added.

15 SHARED ITEMS

Members are able to share information which was not available for inclusion on the agenda. Decisions cannot be taken under this item.

16 DATE OF NEXT MEETING

1 March 2017

17 EXCLUSION OF PRESS AND PUBLIC

The Parish Council is invited to RESOLVE that in accordance with Paragraph 1 (2) of The Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the meeting during consideration of the following item owing to the confidential nature of the business to transacted and the public interest would not be served in disclosing that information.

18 WI-FI IN VILLAGE HALL

The Communications Committee is expecting to be able to submit quotations for the electrical and data work associated with installation of Wi-Fi in the village hall and will present its recommendations to the Parish Council.

To be tabled