

HANKELow PARISH COUNCIL

www.hankelow.eu

Carol Jones
Clerk

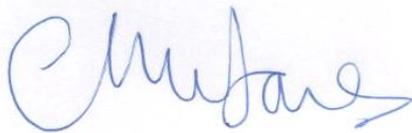
Tel: 01270 812065
e-mail: clerk@HankelowParishCouncil.org

Parish Councillors are summoned to a meeting of the Parish Council

DATE: MONDAY 7 JANUARY 2013

TIME: 7.30 PM

VENUE: SCHOOL ROOM, HANKELow METHODIST CHAPEL



Signed: _____

Date of Issue: 29 December 2012

Note: Prior to the start of the meeting, members of the public will be able to address the Parish Council.

A G E N D A

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

Members to declare any non-pecuniary or disclosable 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 DISPENSATIONS AND SETTING THE PRECEPT

3.1 On 11 November, the Clerk issued a briefing note to Members advising them of the new requirements in respect of declarations of disclosable pecuniary interests (DPI) particularly when setting the budget and requesting a precept.

Each parish councillor who either owns or rents land in the council's area (the Parish Council's area) will have a disclosable pecuniary interest. A criminal offence may be committed where a Member with a DPI participates or votes at a meeting. Dispensations which used to be a matter for the Borough Council are now a matter for individual local councils to consider internally. A

To: Councillors G Foster (Chairman), C Ainley, G Cope, I Jones and A Lee

Copy: Borough Councillor R A Bailey

'dispensation' allows Members who have such an interest to claim a dispensation which will allow them to participate in meetings.

At the time of publication of the agenda, written requests have been received from the following Members:

Councillor G Foster
Councillor C Ainley
Councillor I Jones
Councillor A Lee

A request from Councillor G Cope is required and is expected to be available at the meeting.

3.2 Procedure for Dealing with Dispensation Requests

Written requests must, initially, be sent to the Proper Officer (ie the Clerk). Following this, it is either for the full Parish Council to decide if the requests can be approved, or, under S.101 of the Local Government Act, this function can be delegated to the Clerk.

3.3 Following the decision in 3.2 above, written requests received will be considered at this point in the proceedings.

It is recommended that each of the requests be approved on the grounds that "*having regard to all the relevant circumstances, the Parish Council considers that without the dispensation the number of persons prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business*". It is suggested that the period of the dispensation should be until the next elections in 2015.

4 MINUTES – 12 NOVEMBER 2012

To approve as a correct record, the Minutes of the Meeting held on 12 November 2012. ■■■

5 MATTERS ARISING (not detailed elsewhere on the agenda)

To consider any matters arising from the Minutes of the previous meeting.

5.1 Pension Regulations

At the previous meeting, it was reported that correspondence had been received about new pension regulations and that parish councils were required to register in respect of pensions for staff. The Clerk has raised this with Thirsk Payroll which has stated that it is aware of the proposed changes but that these will not come into force for several years and no action is required at the present time.

6 EXCLUSION OF PRESS AND PUBLIC

Prior to the start of the previous meeting, members of the public addressed the Parish Council in respect of the proposed exclusion of the press and public for two items on the agenda. They were of the view that the press and public should not be excluded from the meeting during consideration of quotations.

When the matter was discussed during the meeting, the Clerk offered advice that in accordance with *The Public Bodies (Admission to Meetings) Act 1960* such matters should always be dealt with in the absence of the press and public on the basis that whenever information relating to the financial or business affairs of any particular person, or company, other than the Parish Council, was discussed, it should be in private to avoid a situation where a company could lose its competitive advantage if the information was discussed openly. ■■■

This advice was not accepted by Members and the matters referred to were discussed in public; the Clerk was asked to seek the advice of the Cheshire Association of Local Councils.

The Clerk's information report is enclosed.

7 STREET NAMING (“OLD SCHOOL LANE”)

To report that the residents of that part of Audlem Road which is proposed for re-naming have now responded as follows:

Willowmead	No objections
Wembdon	No objections
Highfield	Response awaited
Springbank	Response awaited
Green Gables	No objections
Hankelow Methodist Church	Response awaited

The Clerk’s draft report to Cheshire East Council is enclosed; this is based on an assumption that all will be in favour of the proposal to re-name the road. The next stage of the process is for this to be issued to the Ward Councillor and the Interim Strategic Director – Places (Cheshire East Council) for consideration. ■■■

8 FINANCIAL MATTERS

8.1 Budget Proposals – 2013-2014

The Parish Council is invited to consider budget proposals for the forthcoming year and to authorise the Clerk to request a precept from Cheshire East Council. The Clerk’s updated report is enclosed. ■■■

8.2 Authorisation of Payments

£65.00	HMRC - Tax on Clerk’s salary for the third quarter
£36.48	Councillor I Jones – reimbursement for purchase of Daffodil bulbs.

9 MOBILE VEHICLE SPEED DISPLAY UNIT

To report that the Clerk has placed an order with TWM Traffic Management Systems for the following equipment at a total gross cost of £2,396. The delivery date has not yet been indicated.

1 x Mini 300 Polypropylene Modular Speed Control Sign System comprising:

- 1 x 300mm Indicated approaching speed module (located in upper module housing)
- 1 x Smiley face (located in lower module housing)
- 1 x TWM easy mount clip system
- 1 x Data Collection Radar (USB socket data portal)
- 2 x 35A Sealed gel rechargeable batteries with estimated 14 day operational life (subject to traffic volumes)
- 1 x Additional set of mounting clips (£16.00)
- 1 x spare battery (£70.00)

10 PERMISSIVE PATH – HANKELOW TO AUDLEM

To report the outcome of the site visit on 15 November 2012.

11 THE WHITE LION PUBLIC HOUSE

At the previous meeting, Members expressed concern about The White Lion public house premises as they had not been used as a business for some considerable time. At that time, each parish councillor was asked to try to establish interest amongst local residents to enable the Parish Council to consider measures which could be taken to bring the pub back into community use.

The premises are now operating under new management and Members may wish to reflect on this in view of previous discussions.

12 MAINTENANCE OF THE GREEN (LOCAL SERVICE DELIVERY)

12.1 At the meeting held on 12 November 2012, the Clerk was asked to enquire if responsibility for maintaining The Green was to be devolved to the Parish Council under Cheshire East Council's Local Service Delivery scheme, with effect from April 2013.

The Clerk has made enquiries and is awaiting a response. In the meantime, Members may be interested to know that there are two models under this scheme –

Transfer:

Where services ARE NOT the statutory responsibility of the Borough Council, but which localities may wish to continue, these services would be delivered via the town or parish councils.

- Such services will either cease or transfer to the appropriate parish council.
- Local precepts would determine the future level of service for these functions; so, where a parish council wishes to continue to deliver, it would set its precept accordingly. There may be some transition funding in the short term, from Cheshire East Council.

Devolution:

Where services ARE the statutory responsibility of Cheshire East Council, but where a decision is taken that it may be more effectively delivered at a local level, these would be devolved to town or parish councils.

- Formal agreements would be drawn up to establish the financial/legal framework for future service delivery. The Borough Council would need to be assured that the parish council had the capacity to deliver the services effectively and efficiently.
- Finance would follow the function.
- Parish councils could group together to deliver such a service.

12.1 The Parish Council is invited to consider the matter further with a view to identifying areas within the parish which should form part of the specification for the continued maintenance of The Green.

13 REGISTRATION OF THE GREEN

To update the Parish Council in respect of registration of The Green.

14 REPORT OF MEMBERS APPOINTED TO OUTSIDE BODIES

Members appointed to outside bodies to report on recent activities.

- Burial Board
- Police Cluster

15 BOROUGH COUNCILLOR'S REPORT

Borough Councillor R A Bailey to report on Cheshire East matters which may be of interest to the Parish Council and to provide an update in respect of any outstanding matters.

16 THE LOCAL PLAN – CONSULTATION

The Borough Council is undertaking consultation on its Local Plan. The consultation period is for 6 weeks commencing 15 January 2013. There are no hard copies currently available, but you can visit the Cheshire East Council website (www.cheshireeast.gov.uk/localplan). The Clerk has downloaded a copy and this can be provided by e-mail to Members on request.

The Clerk attended the CEC/ChALC Planning Conference on 12 December 2012; a briefing note is attached. ■■■

17 CORRESPONDENCE

The Clerk to report receipt of correspondence received since the last meeting.

Cheshire East Council

- Winter Weather Planning – snow-kits
- Development Plan available for consultation (see also agenda item 16 above)
- Minor Works Allocations List for 2013-2014 (as agreed by Ward Councillors on 13 Nov 12)

Cheshire Association of Local Councils

- ChALC website contains an invitation for applications for members of the new Cheshire East Local Access Forum (CELAF) a statutory body which advises the Council and other organisations on access to the countryside.
- Report of Nantwich LAP activities up to November 2012

18 SHARED INFORMATION

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

Note: Decisions cannot be taken under this item.

19 DATE OF NEXT MEETING

5 March 2012

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.

Members of the public are not able to participate in meetings but are able to ask questions or make a statement, prior to the start 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, staffing matters, 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 case law to this effect (*Longfield Parish Council v Wright (1918) 88 LJ Ch 119*).

B) Planning Grounds The grounds on which observations 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 |
| 7 | Development effect on neighbouring properties, contamination 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.