

HANKELow PARISH COUNCIL

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Clerk

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Parish Councillors are summoned to a
MEETING OF THE PARISH COUNCIL

DATE: TUESDAY, 3 NOVEMBER 2015

TIME: 7.30 pm

NOTE VENUE: BROOKFIELD GOLF CLUB,
HANKELow

Enquiries to: Clerk: Carol Jones

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Signed

Date: 27 October 2015
Re-issued 29 October 2015

To: Members of the Parish Council
(G Foster (Chairman), G Cope (Vice-Chairman), C Ainley, I Jones and A Lee)

cc: Cheshire East Ward Councillor Rachel Bailey

MEMBERS OF THE PUBLIC ARE WELCOME TO ATTEND THIS MEETING

Members of the public are encouraged to print off their own copies of the agenda from the village website (www.hankelow.eu). If paper copies of the agenda and/or any associated reports are required, please contact the Clerk who will arrange for copies to be made available at the 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.

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 residents feel that there is a matter which should be brought to the attention of the Parish Council they 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 | 9 Effect on highway safety |
| 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.

A G E N D A

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

Members to declare any non-pecuniary or disclosable pecuniary interest (DPI) which they have in any item of business on the agenda, the nature of that interest, and in respect of DPIs to leave the meeting prior to the discussion of that item. For Members' guidance, a table of DPIs is appended as the last page to this agenda.

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 – 1 SEPTEMBER 2015

To approve as a correct record, the Minutes of the Annual Council Meeting held on 1 September 2015. ...

4 FINANCIAL MATTERS

4.1 Budget – 2016-2017

The Council is invited to consider its budget for 2016-2017.

Precept requests are likely to be required by the Borough Council by the third week in January 2016 and the budget can, therefore, be finalised at the January meeting.

The following documents are enclosed:

- Budget report
- Receipts and Payments Statement to 30 September 2015. ...
- Budget monitoring statement and draft budget 2016-2017

4.2 Authorisation of Payments

£tba HMRC – Tax on Clerk's salary.

5 WORKPLACE PENSIONS

The law on workplace pensions has changed. Under the Pensions Act 2008 and associated regulations, every employer with at least one member of staff must automatically enrol those who are eligible, into a workplace pension scheme and contribute towards it. ...

Although the Clerk has already registered the Council under the auto-enrolment scheme, and is aware of the requirements of the scheme, the subject was raised at the Cheshire Association of Local Councils meeting held on 23 September 2015, and for this reason, it is timely to provide a detailed report for Members.

6 PLANNING MATTERS

To note that Planning Application No. 153563N (land off Longhill Lane, Hankelow) was not considered at the Southern Planning Committee meeting held on 28 October 2015.

There are no planning applications for consultation.

7 DISPENSATIONS – PLANNING MATTERS

At the previous meeting, Members asked about the possibility of all Members being granted a general dispensation to allow parish councillors to consider any planning application within the parish.

Although all Members have a dispensation in respect of major applications (10 dwellings or more), there is no dispensation for other applications. The Clerk has now considered this matter further and is of the view that to grant a general dispensation would be tantamount to attempting to circumvent provisions in the Code of Conduct and is not in the interests of good governance.

Whilst all applications will have an impact on parish councillors, to a lesser or greater degree, it is a matter of judgement for individual councillors to make, based on the proximity of a development to their own home; for example, an application where the site is adjacent to a parish councillor's home would effectively represent a DPI for that councillor, whereas other Members, although affected by virtue of the fact that it is a development in a very small parish, will not be affected to the same degree and could in good conscience comment on the application.

8 DRAINAGE WORK

8.1 Hall Lane

Councillor Lee to report on the cost of digging a ditch to allow drainage pipes to be installed.

8.2 The Green

Quotations for the camera inspection have not yet been sought.

9 FOOTWAY REPAIR WORK

The Clerk to update the Parish Council.

10 PERMISSIVE PATH – CORBROOK COURT

At the September meeting the Clerk was asked to follow-up with the PA to Mr Morris of Morris Care, the current situation in respect of the permissive path.

There is no intention to open the original footpath as it is considered that it is a hazardous walkway with un-level steps and potholes. The intention was that the large metal gate adjacent to the existing overgrown footpath is the designated walkway and leads up safely through the nursing home grounds and out onto the top part of the road. As the gateway is of heavy construction, Mr Morris has agreed to install a pedestrian gate to the left of the main gate.

The location of the original 'footpath' sign was confusing will be moved onto the main metal gate which will show the correct route up through the car park.

The Facilities Manager has now completed the work, but is to be checked and signed-off to ensure that everything is to a satisfactory standard and complies with safety regulations.

11 NEIGHBOURHOOD PLANNING

To receive an update on progress on the Neighbourhood Plan.

12 AUDLEM PUBLIC HALL ANNEXE PROJECT

To receive for information the report which Malcolm Lees summarised at the September meeting. ...

The Parish Council is invited to consider making a grant towards the project.

13 BOROUGH COUNCILLOR'S REPORT

Councillor Rachel Bailey to report on Cheshire East Council matters of interest.

14 SHARED INFORMATION/REPORT OF MEMBERS APPOINTED TO OUTSIDE BODIES

Parish Councillors are invited to share information which was not available at the time of publication of the agenda.

This is also an opportunity for Members who are appointed to outside bodies to report on any recent meetings.

15 DATE OF NEXT MEETING

5 January 2016