

HANKELow PARISH COUNCIL

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Clerk

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

DATE: MONDAY, 4 SEPTEMBER 2017
TIME: 7.30 pm
**NOTE VENUE: HANKELow METHODIST CHAPEL
HANKELow**



Signed

Date: 28 August 2017

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 (http://www.hankelow.info/parish_council.html). 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.

AGENDA

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

To approve as a correct record, the Minutes of the meeting held on 25 July 2017.

4 NEIGHBOURHOOD PLANNING

To receive an update from the Neighbourhood Plan Steering Committee.

5 FINANCIAL MATTERS

5.1 Authorisation of Payments

At the time of publication of the agenda, there are no payments for authorisation.

5.2 Conclusion of Audit – 2016-2017

The external audit of the accounts has been concluded by BDO LLP. Its report is enclosed and the appropriate notifications have been added to the website and placed in the notice-board.

A copy of BDO LLP's report is enclosed.

5.3 Revised Financial Regulations

One of the Internal Auditor's recommendations was that the Financial Regulations should be up-dated.

The National Association of Local Councils up-dated the Financial Regulations in January 2016, and a revised copy is now enclosed for adoption.

5.4 Receipts and Payments/Budget Monitoring – Position at 30 June 2017

To receive a Receipts and Payments Statement, together with a budget monitoring statement showing the financial position at 30 June 2017. Bank statements beyond this date have not yet been received.

6 WEBSITE

The Parish Council is invited to consider if it should make arrangements for a dedicated Parish Council website. Mr C Foster, who manages (and owns) the Hankelow Village website, has commented that there is insufficient space for it to accommodate all the information which is required to conform to the Transparency Code for Smaller Authorities regulations.

Mr Foster suggests that the Parish Council consider purchasing an additional 50 GB of web-space for £72.00 per annum (inclusive of VAT). This would be a secure location for Parish Council documents. An alternative is for the Parish Council to seek quotations for the creation of its own website.

This matter was considered by the Parish Council in May 2016 at which time the Webmaster for the Village Website advised that he would be able to continue to upload documents to avoid the Parish Council being required to purchase its own website, but would report further if the situation changed.

The Clerk has made enquiries of the Cheshire Association of Local Councils in the event that the offer of funding for smaller authorities, is still available for the setting up of websites.

7 PLANNING

There are no planning applications for comment; however, the following application was received subsequent to the meeting on 25 July 2017, but Members did not request an extraordinary meeting to consider the application.

17/3957N Land adjacent Hankelow Manor, Hankelow Lane
Variation of condition 2 on application 14/5608N – infill development of
Two x two-storey detached residential dwellings

Forwarded to Members on 4 August. Comments required by 25 August 2017.

8 THE WHITE LION PUBLIC HOUSE ACTION GROUP

The Parish Council's Expression of Interest was submitted to Cheshire East Council on 21 August 2017 and this will now trigger the 6-month moratorium period which will conclude on 24 January 2018.

This meeting is an opportunity for the Action Group to report progress and to advise the Parish Council if it plans to re-form itself into a group which can be regarded as eligible. A group cannot be an unincorporated collection of local people or a neighbourhood planning forum. Under the Regulations, eligible groups are:

- Parish Council in whose area the asset lies.
- A body with a local connection which is constituted in one of the following ways:
 - A company limited by guarantee
 - An Industrial or Provident society
 - A Community Interest Company (CIC)
 - Any other body which is registered as a charity including a Charitable Incorporated Organisation

9 CONSULTATION – CEC LOCAL FLOOD RISK MANAGEMENT

The Parish Council is invited to comment on CEC's Local Flood Risk Management Strategy. Comments are requested by 27 September 2017.

Previously distributed

This was issued to Members on 16 August to allow sufficient time to consider the document which is 103 pages.

10 SHARED INFORMATION

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 Councillor Rachel Bailey, the Ward Councillor, to report on Cheshire East Council matters of interest; and for Parish Councillors who are appointed as representatives on outside bodies to report on any recent meetings.

11 DATE OF NEXT MEETING

6 November 2017

12 EXCLUSION OF PRESS AND PUBLIC

The Committee 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 be transacted and the public interest would not be served in disclosing that information.

[See below for explanation.]

13 CLERK'S CONTRACT OF EMPLOYMENT

As part of the audit of the accounts for 2016-2017, the Internal Auditor recommended that the Clerk be issued with a contract of employment. A draft contract, which is based on the National Association of Local Councils' Model Contract is enclosed.

Subject to any amendments to be made, once approved, a copy will be provided for signature by the Chairman and Clerk.

EXCLUSION OF PRESS AND PUBLIC – EXPLANATORY NOTE

Although members of the public are entitled to observe Council or Committee meetings, there will be occasions when it is necessary to exclude the press and public for parts of meetings because of the nature of the items to be discussed. This will usually be when quotations for goods or services are to be considered, or staffing matters. With regard to quotations, the reason for discussing these privately is because there could be confidential business matters arising from the quotations, not least of which, the companies themselves might offer preferential rates to the Council which they might not wish to be made public.

The exclusion of the press and public must be a formal resolution by the Council or Committee. The decision will be based on the reasons suggested by the Clerk. The Council should always attempt to hold all its meetings openly and only in specific circumstances, hold parts of its meetings in private.

It is irrelevant whether there are members of the press and public present when the exclusion motion is moved and carried. The purpose of the exclusion is to ensure that none of the proceedings which follow, including both written documents and comments made, can be made public after the meeting. If the Council does not resolve to exclude the press and public, this would mean that anything discussed and any documents presented are regarded as in the public domain and must be supplied if requested by anyone, whether as a general request, or under the Freedom of Information Act.

The law which applies is The Public Bodies (Admission to Meetings) Act 1960. This gives town and parish councils (ie local councils) wider powers than those contained in the Local Government Act 1972 and they can exclude members of the press and public on the grounds of 'confidential' business or for 'special reasons', but the reasons for each must be embodied in the minutes.

Paragraph 1(2) of the 1960 Act states-

A body may, by resolution, exclude the public from a meeting (whether during the whole or part of the proceedings) whenever publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons stated in the resolution and arising from the nature of that business or of the proceedings; and where such a resolution is passed, this Act shall not require the meeting to be open to the public during proceedings to which the resolution applies

It should be noted that Borough Councillors in attendance have no greater standing than any other member of the public and must also be excluded.

It is sometimes necessary for individuals other than Members or Officers of the Parish Council to remain in a meeting when the public and press have been excluded. This depends on the role of the individuals concerned; for example, if they have been invited to the meeting to offer technical or professional advice to Members. However, even in these circumstances, caution needs to be exercised as it would be difficult to hold such individuals to account if they subsequently divulged what was discussed at the meeting.

In the case of other individuals who simply have some background knowledge of the issue, it would be difficult to argue that they should be treated any differently from any other member of the public for the purposes of exclusion. It is important for Members not to allow themselves to get into a position where they are selecting who should remain in the meeting; this could lead to an abuse of procedure and bring the Parish Council into disrepute. It would also enable accusations to be made that some individuals were allowed to exercise undue influence.

NOTES ON PLANNING APPLICATIONS

The following are the material grounds on which the Parish Council can make observations on planning applications.

1	The Development Plan in all its aspects.	13	Highway issues: traffic generation, vehicular access, highway safety.
2	Government legislation and guidance	14	Adverse impact on nature conservation interests and biodiversity opportunities.
3	Has there been pre-application consultation?	15	Loss of effect on trees.
4	Previous appeal decisions and Planning Inquiry reports	16	Capacity of physical infrastructure, eg public drainage or water systems.
5	Siting	17	Loss of privacy
6	Loss of sunlight (based on Building Research Establishment Guidance)	18	Layout and density of building design, visual appearance and finishing materials.
7	Over-shadowing/loss of outlook to the detriment of residential amenity (Note: Not related to loss of view)	19	Deficiencies in social facilities, eg, spaces in schools, doctors' surgeries.
8	Inadequate or inappropriate landscaping.	20	Effect on listed buildings and conservation area.
9	Compatibility with street scene.	21	Flooding
10	Development effect on neighbouring properties	22	Storage and handling of hazardous materials and development of contaminated land.
11	Appropriateness of use taking account of local area.	23	Local financial considerations offered as a contribution or grant.
12	Incompatible or unacceptable uses.	24	Neighbourhood Plan

The following are non-relevant matters and will be disregarded by the Borough Council.

- Matters controlled by other legislation
 - Problems arising from the construction period of any works (these are covered by the Control of Pollution Acts).
 - Opposition in principle to development when this has been settled by an outline planning permission or appeal.
 - Effect on private rights.
 - Provisions in covenants/deeds.
 - Applicant's personal circumstances (unless exceptionally and clearly relevant, eg provision of facilities for someone with a physical disability).
 - Effect on property values.
 - Loss of view
 - Opposition to business competition.
 - Factual misrepresentation of the proposal.
 - Private opinions.
 - Business competition
 - Moral issues
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