

**MINUTES OF A MEETING OF MINSHULL VERNON & DISTRICT PARISH COUNCIL  
HELD IN ST PETER'S COMMUNITY HALL, MINSHULL VERNON  
ON 26 NOVEMBER 2012**

<b>PRESENT:</b>	Councillor Les Horne	Chairman
	Councillor M McGlone	Vice-Chairman
	Councillor W T Beard	Councillor D N Bebbington
	Councillor I Chenery	Councillor K Halford
	Councillor Linda Horne	Councillor B Palin
	Councillor P Wright	
<b>APOLOGIES:</b>	Councillor M Wilson	

**725 DECLARATION OF INTERESTS**

Members were invited to declare any disclosable pecuniary interests which they had in any item of business on the agenda, the nature of that interest, and to leave the meeting prior to discussion of the item.

Councillors W T Beard, I Chenery, M McGlone, Les Horne, Linda Horne, B Palin and P Wright, each declared a disclosable pecuniary interest in agenda item 8 (Budget Proposals 2013-2014) on the basis that they lived in the parish and either owned, rented, or otherwise held a beneficial interest in land in the Parish Council's area.

No other declarations were made.

**726 DISPENSATIONS AND THE PRECEPT**

**726.1** On 11 November, the Clerk had 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 had business interests in the council's area, or who either owned or rented land in the council's area, or who otherwise had a beneficial interest in land in the Parish Council's area, would have a disclosable pecuniary interest. A criminal offence may be committed where a Member with a DPI participated or voted on the relevant item at a meeting.

Dispensations which used to be a matter for the Borough Council were now a matter for individual local councils to consider internally. A dispensation allowed Members who had such an interest to participate in meetings and vote on those items.

S.33 of the Localism Act 2011 permitted a local council to grant a dispensation to a Member or co-opted Member to allow them to participate in a discussion or to vote on a matter in which they had a DPI. Requests must be made in writing to the Council's Proper Officer (ie the Clerk) and may be granted by the full Council, or this function could be delegated to a committee or the Clerk (S.101 of the Local Government Act 1972).

When a dispensation was granted it must specify the period for which it had effect and could not exceed 4 years.

A dispensation may be granted if, having regard to all the relevant circumstances, the Parish Council considered that:

- (a) 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; or
- (b) Granting the dispensation is in the interests of persons living in the council's area; or
- (c) It is otherwise appropriate to grant a dispensation.

Members had been invited to submit their written requests for a dispensation to the Clerk, to enable the Parish Council (a) to discuss the issue of dispensations; and (b) to discuss the budget proposals.

### **726.2 Procedure for Dealing with Dispensation Requests**

The first matter which the Parish Council now considered was the procedure for dealing with written requests (as detailed in 726.1 above).

- RESOLVED:** (a) That all written requests for a dispensation be submitted to the Clerk;
- (b) That the Clerk report all written requests to the first available Parish Council meeting; and
- (c) That the Parish Council consider all Members' written requests for a dispensation and make a determination as to whether they should be granted.

### **726.3 Receipt of Written Requests for Dispensation**

The following Members had each submitted a request for a dispensation to allow them to participate and vote in respect of the budget proposals for 2013-2014.

Councillor W T Beard  
Councillor I Chenery  
Councillor M McGlone  
Councillor Les Horne  
Councillor Linda Horne  
Councillor B Palin  
Councillor M Wilson  
Councillor P Wright

It was noted that Councillors D N Bebbington and K Halford were exempt from the requirement to request a dispensation by virtue of the fact that they did not live within the parish and at this time had no personal or business interests in the parish which amounted to a DPI.

**RESOLVED:** (a) That the written requests for dispensation from Councillors Beard, Chenery, McGlone, Les Horne, Linda Horne, Palin, Wilson and Wright be approved;

(b) That it be noted that their reason for submitting the request was on the basis "*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 that business*";

(c) That the dispensation be granted until the next elections in 2015; and

(d) That it be noted that Councillors Bebbington and Halford were exempt from the requirement to request a dispensation, for the time being, on the grounds that each did not live within the parish and had no personal or business interests in the parish which amounted to a disclosable pecuniary interest.

## **727 MINUTES**

**727.1** The Clerk reported on inaccuracies in minute numbering for the Minutes of the meetings held on 24 September 2012 and 22 October 2012. Minute numbers for 24 September should run from 683 to 706 inclusive and the Minute numbers for the meeting held on 22 October should run from 707 to 724 inclusive. Pagination remained unaffected.

### **727.2 Approval of the Minutes of the Meeting held on 22 October 2012**

**RESOLVED:** That the Minutes of the Meeting held on 22 October 2012 be approved as a correct record subject to the following:

- (a) Minute Nos. to start at 707 and finish at 724.  
(b) Previous Minute No. 695 (i) (now re-numbered 715) to read –

“(i) Progress in respect of the 30 mph speed limit on the A530 outside St Peter’s Church.

A speed limit of 30 mph could not be introduced as originally envisaged; however, the Parochial Church Council could be asked to consider amending the configuration of the entrance to the church car park to bring about an improvement in traffic flow with a consequent improvement in road safety.”

**728 MATTERS ARISING**

**728.1 Posts – Jubilee Memorial and Parish Field**

At the previous meeting, the Parish Council had approved a quotation from Willis’s Drainage for the provision of posts around the Jubilee Memorial and the parish field. The quotation had been approved subject to a detailed measurement of the site being undertaken to confirm the quantity of posts required. Measurements had been taken and the quotation revised accordingly. Willis’s Drainage had been notified and asked to proceed with the work as soon as practicable.

Parish Field, Moss Lane, 34 yards at 3m centres	11 Verge Master road marker posts @ £27.00 each	£297.00
Plant and labour	£1.00 per post	£11.00
		<b><u>£308.00</u></b>
Eardswick Lane, 64 yards	21 white marker bollards @ £11.19 per post	£234.99
Plant and labour	£2.00 per post	£42.00
		<b><u>£276.99</u></b>
	<b>GRAND TOTAL</b>	<b><u>£584.99</u></b>

**728.2 Remedial Work – Jubilee Footpath and Plinth**

Councillor McGlone had met with Ben MacDonald (the designer and builder of the Diamond Jubilee footpath and plinth) on site and discussed the work required to bring the plinth up to a satisfactory standard. The replacement bricks were to be flat-surface brick which in the longer term, following weathering, would add to the patina of the plinth and were in keeping with the remainder of the scheme.

Costings had not yet been provided by Mr MacDonald.

**RESOLVED:** (a) That the flat-surface bricks be approved as replacement bricks on the plinth, subject to receipt of costs being acceptable to the Parish Council; and

(b) That the work be deferred to the Spring of 2013.

**729 PUBLIC QUESTION TIME**

There were no members of the public in attendance.

**730 KEEP IT GREEN CAMPAIGN**

Margaret Smith, the founder member of the “Keep It Green Campaign” was unable to attend the Parish Council meeting and had also indicated that she would not be available at the December meeting. Members briefly discussed the scheme and its recent scaling back of its activities.

**731 BUDGET PROPOSALS 2013-2014**

Members gave initial consideration to the Clerk’s report and draft budget proposals. There was agreement on all lines of expenditure and specific comment on the following:

Line 11 : Insurance	The figure for insurance to be verified.
Line 20: St Peter’s Church	The Clerk to enquire if the £10,000 allocated in the current financial year was still required. In the event of it being required, the matter would be decided at the next meeting.
Family Party	It was suggested that a community family event (similar to that held for the Diamond Jubilee) could be held in 2013 either in partnership with local schools or as a parish council event. It was agreed that a sum of £1,500 be allocated to this heading.
Line 31 – New posts/display units for Speed Watch	Agreed that a sum of £5,000 be allocated for this purpose.
Line 34 – Strimmer	Agreed that a sum of £1,300 be allocated for purchase of a strimmer

**RESOLVED:** That the Clerk amend the report to reflect discussions at this meeting and submit revised documentation to the December meeting.

(Note: Having been granted dispensations, or otherwise being exempt from a dispensation, all Members participated in discussion of this item.)

**732 FINANCIAL MATTERS**

**RESOLVED:** That the following payment be authorised:

£80.00 HMRC – Tax on Clerk’s salary.

**733 PLANNING MATTERS**

**733.1 Pre-Determination and Bias**

At the previous meeting, the issue of pre-determination and bias was briefly raised during discussion of planning applications. The Clerk’s report was submitted for information and clarified the situation in respect of S.25 of the Localism Act 2011. The rules had been relaxed to allow greater flexibility to councillors who wished to make their views known on particular issues, and there was a presumption against pre-determination; however, caution would need to be exercised as, in certain circumstances, a councillor could be deemed to have had a closed mind on a particular matter.

**733.2 Planning Applications**

There were no planning applications for consultation. Application No. 12/4074N (1 Wood Farm, Middlewich Road) had been received in between meetings. The application was a re-submission of an earlier application (12/2468N) and the Chairman had agreed that there

was no requirement for a special meeting to enable comments to be submitted by the due date of 16 November 2012.

**734 CREWE COMMUNITY GOVERNANCE REVIEW – UPDATE**

There was no update on this item.

**735 REPORT FROM MEMBERS APPOINTED TO OUTSIDE BODIES**

Parish Councillors appointed to outside bodies were invited to report on recent activities.

Councillor Les Horne had attended the Town and Parish Councils Conference held on 7 November 2012, organised by Cheshire East Council. The topic of transfer of services from the Borough Council to town and parish council had been raised. CEC was proposing to proceed with the transfer of those services which were not the statutory responsibility of the Borough Council but which localities may wish to continue. In the event of town and parish councils not wishing to take over those services, they would be likely to cease. It was understood that a source of funding would transfer with the service. The Clerk undertook to make enquiries about the proposals and the timescale.

**736 BUS SHELTER – SMITHY LANE**

Listed on the Parish Council's Assets Register were two bus shelters, one of which it had been assumed was located on Smithy Lane.

Cheshire East Council had been contacted by Leighton Hospital (Mid-Cheshire Hospitals Trust) which had requested that as bus operators now drove directly into the hospital grounds there was no longer a need for the shelter. The Parish Council was invited to consider if it would agree to this bus shelter being removed.

Councillor Bebbington reported that he had discussed this with John Dodd (Cheshire East Highways Locality Manager) who was of the view that the bus shelter was not owned by the Parish Council and was making enquiries.

It was **AGREED** that the matter be deferred pending further information from John Dodd.

**737 SPEED WATCH SCHEME**

Councillors Les Horne and P Wright reported on recent speed watch activities.

**738 HONORARY FREEMEN BOARD**

The Clerk had forwarded to Members a "visual" of the Honorary Freemen Board which Sign Studios had now suggested be lettered in one column only, rather than two.

Sign Studios had started to make the board which would be of a good quality faced plywood. It would be stained and varnished. There were several options, but the mahogany was recommended as was quite a dark stain to contrast with the gold lettering.

**RESOLVED:** (a) That the design of the Honorary Freemen Board, as displayed (ie single column) be approved; and

(b) That the board be finished in mahogany stain.

**739 BOROUGH COUNCILLORS' REPORTS**

Councillor Bebbington reported on Cheshire East Council matters of interest.

## 740 CORRESPONDENCE

The Clerk reported receipt of the following correspondence received since the last meeting.

### Cheshire East Council

- Notice of proposal to make a 30 mph and 50 mph speed limit and restrict road Order on the A530 Middlewich Road and approach roads, Nantwich to Leighton.
- Minutes of Nantwich LAP Highways Group – 17 October 2012
- CEC Highways Satisfaction Survey (deadline for completion 23 November). For completion by individual parish councillors.
- White Ribbon Day – 25 November (awareness of domestic violence).

### Cheshire Association of Local Councils

- Council Tax and Local Precepts – Power-point presentation slides from recent conference held at Cheshire West and Chester Council (which also applied in Cheshire East).
- Technical reforms of planning appeals.
- Parish Planning Conference (jointly arranged with CEC) – 12 December – Middlewich Community Church (7.00 pm – 9.00 pm).

## 741 PARISH FIELD MAINTENANCE

At the previous meeting a Member had reported that Alan Bennion, who had been contracted on a month-to-month basis to cut the parish field, had died suddenly. Councillor McGlone now reported that the company was a family firm and the business was continuing. There was, therefore, no need for the Parish Council to seek an alternative contractor.

## 742 SHARED INFORMATION

Members were invited to share information or request the inclusion of items on the next agenda. The following issues were raised.

- The “Woolstanwood” sign, south of the roundabout at The Farmhouse required repair.
- Cheshire East Council had now appointed a Flood Alleviation Manager (Paul Reeves) and an Officer (Matt Tandy) who would also deal with flooding matters.
- The Chairman reported that two Cheshire East Council officers had made contact with him on Friday 23 November and briefly discussed the drainage/flooding problems in the parish. Officers were to conduct a desktop study to establish the names of landowners in the area and to install an additional drain. It was understood that there was national Government grant-funding for this purpose and CEC expected to be successful in its application for a grant. The Officers would set out the risks and prepare a proposal, following which they would present this to the Parish Council.
- The Clerk was reminded to arrange for the removal of the disused CEC notice-board on Parkers Road.

Scottish Power: The Clerk reported that invoices were received from time-to-time from Scottish Power in respect of street lighting in the parish. The Clerk had written to Scottish Power twice over the last few years to explain that the street lights in the parish had been up-graded and adopted by the former Cheshire County Council in 2007.

Following receipt of the latest invoice, dated October 2012, the Clerk had telephoned Scottish Power and was informed that the company required an adoption certificate from Cheshire East Highways as the appropriate authority. It appeared that, technically, the street lights were still the responsibility of the Parish Council. The Clerk had reported this to CEC and the engineers were making enquiries. The Clerk would keep the Parish Council apprised of developments.

**743 DATE OF NEXT MEETING**

**17 December 2012 (in the Church)**

**744 EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED:** 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 follow item owing to the confidential nature of the business to be transacted and the public interest would not be served in disclosing the information.

**745 DUMPING OF FOOD WASTE ETC. IN PARISH FIELD**

The Clerk had sent a letter, together with evidence of the likely culprit, in respect of the unauthorised disposal of food waste and other vegetation in the parish field. A response from Wulvern Housing was awaited. It was reported that subsequent to this, further waste had been disposed of in the field, but no evidence was available on this occasion.

.....Chairman

The meeting commenced at 7.00 pm and concluded at 9.10 pm