

# BETLEY, BALTERLEY & WRINEHILL PARISH COUNCIL

## Minutes of the meeting held on 24th November 2011

### PRESENT

Cllrs Robert Bettley-Smith; Steven Ball, Mandy Berrisford, Seb Daly, David Hales (from min.300), Jo Thomas and Christopher Watkin.

### IN ATTENDANCE

County Cllr Frank Chapman; Borough Cllr David Becket.

Four members of the public.

Gwyn Griffiths (Clerk).

296/11 Apologies for absence were received and accepted as valid reasons under Section 85 of the Local Government Act 1972 from Cllrs Burton (family commitment), Harrison (work), Head (work), Morris (holiday) and Speed (work).

An apology for likely late arrival was received from Cllr Hales.

297/11 Members considered the declaration of interests in agenda items.

Cllr Berrisford declared a prejudicial interest in planning application 11/00589 (Heighley Castle Farm) as a neighbour, and due to trading and family connections to the applicant. Cllrs Daly and Thomas each declared a personal interest in the same application as the applicant was a client and friend respectively.

298/11 **RESOLVED that, subject to the correction of one typing error ('his way' for 'hisway' in minute 266/11, the minutes of the meeting of 27th October 2011 be approved as a true record and be signed by the Chairman.**

299/11 The Chairman outlined the procedure to allow public participation, and then adjourned the meeting to allow public participation. No member of the public wished to participate.

300/11 County Councillor Chapman presented his report to the meeting. He had nothing new to report regarding the snack bar on the A531; county highways were assessing the traffic impact, and the County's legal department was reviewing the legal position regarding the site and its use. In response to a question from a member he indicated that further clarification should be available within a matter of weeks.

[Cllr Hales joined the meeting at this point]

The County Council had just launched a review of bus service support across the county, details of which had been forwarded to the Clerk.

301/11 Borough Councillor Becket presented his report to the meeting. On the issue of local bus services he understood that the daytime 85 service was considered to be commercially robust, though the evening and Sunday services depended on continued

local authority support. The Clerk advised members that he understood that the review already carried out by Cheshire East (which was partly responsible for supporting the 85 as a cross-boundary service) had indicated that the 85 provided good value for money.

Borough Cllr Becket informed members that the planning authority's view was that the use of the A531 site by a snack bar represented a change of use, and that planning permission was therefore required. An application had been submitted but was found to be invalid. No further action would be taken under planning law until the County Council had determined its attitude to the use of the site.

He had been approached by a member of the public who had asked him to explain the planning process, and who was unaware that the Parish Council was a consultee on all applications. Cllr Becket would place a piece in his next 'Focus' newsletter outlining the process. He suggested that the Parish Council should publicise the 16-18 year old bus pass, which needed more users to make it financially viable.

The Borough Council had considered the review of parliamentary boundaries at its meeting on Tuesday and had resolved to object to the Boundary Commission's proposals, and to support an alternative which preserved a Newcastle constituency.

302/11 The Chairman presented his report on actions since the last meeting. He had laid a wreath on behalf of the community on Remembrance Sunday. He had received a letter from Paul Farrelly MP regarding the review of parliamentary constituency boundaries, and had attended a meeting of the Rural Transport Scheme, where a review of pricing was underway. The Vice-Chairman reported that the matters he had dealt with would be covered later in the Agenda. The Chairman thanked the Vice-Chairman and other members who had assisted in installing the Christmas lighting at the Memorial Garden.

303/11 The Clerk reported a potential tax liability in respect of the rate used for reimbursement of travel expenses.

**RESOLVED that the Clerk be asked to seek further clarification of the issue for the January meeting.**

304/11 Members considered the potential for a Community Speed Watch Scheme. In view of the modest level of commitment to date it was **RESOLVED that the matter be deleted from future Agendas unless a specific request was made for its inclusion.**

305/11 Members considered the following planning application:

**11/00574/FUL Proposed Orangery, Doddlespool Farm, Main Road, Balterley.**

**RESOLVED That the Parish Council objects to the proposal as it has concerns that by its form and scale the proposal will impact adversely on the appearance of an important and prominent building, in particular by obscuring detailing of brickwork which is an important architectural feature, contrary to Local Plan Policy H.18.**

306/11 Members considered the following planning application:

**11/00589/OUT Agricultural worker's dwelling, land at Heighley Castle Farm, Heighley Lane, Betley.**

**RESOLVED That the Parish Council objects to the application as it is very firmly of the view that, despite the case advanced by the applicant, the provision of an additional dwelling is not essential to meet the needs of the business or to justify**

**development in the Green Belt. The needs of the business could be met by temporary accommodation during the lambing period.**

307/11 The Clerk advised members that application 11/00516 Extensions & alterations, Doddlespool Farm, Main Road, Balterley had been permitted.

A member expressed his concern that the view of the Parish Council had been ignored, and that a significant local estate farm largely in original condition would be ruined by the proposed works. It was agreed that the Clerk would seek clarification from the planning authority of their rationale in permitting the development.

Borough Councillor Becket suggested that there were two issues: the broad issue of the weight accorded to the opinions of Parish Councils, and the specific issue of the way the planning authority had dealt with the particular application. He suggested that the Council should also approach the appropriate portfolio holder, which was Cllr Robin Studd.

The Clerk advised members that the planning authority's justification in permitting the application to clad the Dutch barn at Old Hall Farm was that the views into/ out of the Conservation Area were not specifically identified in the Conservation Area Appraisal. This raised a serious issue for members who had always been under the impression that all such views were a valid planning matter.

**RESOLVED that the Clerk seek clarification on both these matters, and that they be considered further at the January meeting.**

308/11 Members reviewed progress regarding other current planning issues.

Snack Bar A531. Members noted the update provided by the County and Borough Councillors.

Bowhill Lane. There was nothing further to report on this matter.

Tudor House. The Borough Council was still anticipating an application for Listed Building Consent to regularise the works carried out.

[Cllr Bettley-Smith declared a personal interest in the matter of Tudor House as an immediate neighbour]

309/11 Members considered the Council's response to the consultation on proposed changes to parliamentary constituency boundaries.

**RESOLVED that the Council fully supports the alternative proposal submitted by the Borough Council, and that this view be forwarded by the Clerk to the Boundary Commission.**

310/11 Members noted that the community website was live, and that statistics regarding its usage were being supplied on a weekly basis, and indicated good use. The Gallery section had still to be constructed, and it was agreed that members would supply a limited number of relevant photographs to the Clerk for possible use.

311/11 Members reviewed the draft Members Allowances and Expenses Policy following discussion at the October meeting.

**RESOLVED that the Policy be adopted, subject to the following clarification:**

**a) that the policy of the Council would allow the payment of a Participation Allowance;**

**b) that the Council resolves that no such Allowance will be paid during the current (2011-2015) term of the Council.**

312/11 Members considered draft additional Standing Orders, drawn up by the Clerk, and dealing with issues of delegation and urgent business.

**RESOLVED a) that the draft Standing Order on Delegation be adopted with immediate effect;**

**b) that the draft Standing Order on Urgent Business be adopted with immediate effect;**

**c) that the Clerk be authorised to incorporate the two additional Standing Orders within the Council's existing Standing Orders, and to renumber as necessary.**

313/11 Members considered progress on initiatives undertaken, or proposed to be undertaken, by the Parish Council.

314/11 The areas of pavement in the Balterley area which required further clearing had been identified, and the Council's usual contractor had been invited to tender for the necessary work. Unfortunately they felt unable to carry out the work on a derestricted section of road without the protection of temporary traffic lights which would increase costs considerably. The Clerk suggested that the County Council be asked to complete the necessary works, either through the Neighbourhood Gang or by the Parish Council funding the additional work, which cost could then be recovered from the Council's highways allowance.

**RESOLVED that the course of action outlined by the Clerk be followed.**

315/11 The Clerk advised that no response had been received from Aspire regarding maintenance of the area at Main Road/ East Lawns.

**RESOLVED that the Clerk write to Aspire requesting a response, with a copy to their Chief Executive.**

316/11 The Clerk advised members that he had received an apologetic response from the member of staff dealing with the provision of bus stop/ shelter facilities, indicating that she had been under the impression that further hardstanding would be scheduled at the Crewe-bound Main Road/ East Lawns stop. She would press the matter, and expected such work to be scheduled shortly.

317/11 Members considered the suggestion made at the Annual Electors Meeting that 'gateway features/ signage' should be considered for the local villages. The Clerk had submitted to members the policy on the Highways Authority on such signage, which was more restrictive than in some other areas. In view of the restrictions on what could be installed, and the balance between costs and benefit, members felt that the necessary expenditure could not be justified.

**RESOLVED that no further action be taken.**

318/11 Members considered area issues raised by members.

319/11 Members considered current highways issues.

Winter gritting. A letter from Staffordshire CC regarding support for winter action was noted. It was agreed that SCC supplies of grit would be sought before making use of the Parish Council's resource.

The Butts. It was noted that there were difficulties in maintaining access to The Butts for emergency and larger vehicles whilst at the same time discouraging inappropriate use by through traffic. The householder responsible for the overgrown hedge was agreeable to cutting it back in order to ensure safe passage for emergency vehicle but would require some support toward the cost. The Clerk indicated that although the hedge was a private responsibility the Parish Council nonetheless had the power to contribute toward the cost under Section 50 of the Highways Act 1980 if it considered that such a contribution would be in the wider public interest.

**RESOLVED** a) that the Parish Council expresses a willingness to provide a contribution toward the cutting back of the hedge at The Butts, subject to a maximum contribution of £160, and subject to documentation identifying the additional cost;

b) that the Clerk be asked to seek clarification regarding the legal status of the roadway;

c) that clarification be sought regarding the status of The Butts, and Bowhill Lane, on satnav systems.

320/11 The Chairman and Clerk tabled correspondence received since the last meeting.

**RESOLVED** that the Parish Council has no objection to the proposed changes to regulations at the Bateswood Country Park, relating to bridle path use and fishing, subject to potential litter problems being identified and addressed, and that Cllr Thomas be asked to respond on the Council's behalf.

321/11 Members considered a request for financial assistance under the Community Chest scheme.

**RESOLVED** that the Parish Council recommends that £240 be granted under the Community Chest scheme to the applicants, Betley Pre-School Playgroup.

322/11 The Clerk submitted to members a list of invoices to hand and payments due, and the Financial and Bank Statements to date.

323/11 **RESOLVED** a) that the Council authorises payment of the following:

Royal British Legion

Poppy Appeal	Donation	£ 18.50	893
mh-p internet	Website	£684.00	894
G Griffiths	Salary & expenses	£323.45	895
Betley Senior Citizens	Donation (Christmas Lunch)	£175.00	896
CPRE	Subscription	£ 29.00	897

b) that, as only two councillor signatories were present, the Clerk be authorised to sign cheques 893/4/6/7 and to obtain the necessary third signature for cheque 895;

c) that the Financial Statement be received;

d) that the Bank Statements be noted, and the reconciliation verified and signed by the Chairman;

**e) that the Clerk be authorised to take all necessary steps to update the mandate for bank signatories by adding Cllrs Seb Daly and Chris Watkin as authorised signatories to the Council's accounts.**

324/11 Members of the Laudy Croft Working Group advised that no maintenance work was currently required.

325/11 Members considered issues relating to council communication, and items to be included in the next issue of the Parish Magazine.

326/11 Members of the Memorial Garden Working Group reported that they had considered possible actions to address the problems caused by the conifer sited in the lawn of the Memorial Garden. Two options were open: removal, or some form of treatment. It was felt that removal was to be avoided if possible, and they therefore proposed that the two lowest branches be removed to improve the light to the grassed area, and to reduce dangers of the tree being climbed.

**RESOLVED a) that the Clerk be asked to secure any necessary permissions for the work;**

**b) that the Working Group be authorised to arrange for such works to be completed.**

327/11 Members considered what action to take in respect of the redundant lighting loom used for Christmas illuminations. In view of possible liability issues it was **RESOLVED that the loom be disposed of as scrap.**

328/11 Date of next meeting – Thursday 26th January 2012.

329/11 **RESOLVED that the press and public be excluded during consideration of the next item under the provisions of the Public Bodies (Admission to Meetings) Act 1960 and Section 100A (Schedule 12A Part I (8, 9 & 12)) of the Local Government Act 1972, in that it relates to potential contractual arrangements for the supply of goods or services, and/or potential legal proceedings by or against the authority.**

330/11 Members considered an amended draft agreement between the Parish Council and the Borough Council in respect of future use of the Laudy Croft site, Common Lane, Betley.

**RESOLVED a) that the Clerk respond indicating that the Council is unable to sign the draft agreement as it is defective in identifying the Parish Council by an incorrect title, and by stating that the Parish Council members act as 'Diocesan Trustees', which is not believed to be the case;**

**b) that the Clerk also indicate to the Borough Council that the Borough Council's promise to engage in discussion regarding potential end-uses for the site has not been met;**

**c) that the Clerk be granted delegated powers to take any necessary urgent actions to protect the Parish Council's interests in response to any reply or action by the Borough Council.**