

CHOLMONDELEY & CHORLEY PARISH COUNCIL

Carol Jones
Clerk

Tel: 01270 812065
e-mail: carol.jones44@btinternet.com

Parish Councillors are summoned to	
A MEETING OF THE PARISH COUNCIL	
DATE:	WEDNESDAY, 1 APRIL 2015 (re-scheduled from 17 March 2015)
TIME:	7.30 PM
VENUE:	SCHOOL FARM, CHOLMONDELEY (Adjacent Cholmondeley Bowling Pavilion)
	
Signed:	Date of Issue: 27 March 2015

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 a DPI 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 MINUTES

3.1 To approve as a correct record, the Minutes of the Meeting held on 20 January 2015. ...

3.2 Casual Vacancy

At the previous meeting, it was reported that Michael Lightfoot had expressed interest in being co-opted onto the Parish Council but had been unable to attend the January meeting.

The situation now is that if Mr Lightfoot wishes to become a member of the Parish Council he needs to submit nomination papers for election on 7 May 2015.

4 PUBLIC QUESTION TIME

Members of the public are able to ask a question or address Members on any matter related to the functions of the Parish Council.

To: Councillors C Crossley (Chairman), J Mosford, A Fennell (Vice-Chairman), J Clarke, C Hopley, P Probin, R Probin, D Sweetman, G Willis and P Winward

Copy: Borough Councillor W S Davies

5 EMERGENCY PLANNING

Members to report back on (a) the desktop exercise; and (b) results of questionnaires submitted by residents, if available.

The Parish Council is invited to take any appropriate action connected with this project.

6 FINANCIAL MATTERS

6.1 Authorisation of Payment

£149.99 Mrs C M Jones – Salary for the period 1 January – 31 March 2015.

£(tba) HM Revenue & Customs – Tax on Clerk's salary

7 OUTSIDE BODIES/MEETINGS

Members appointed to outside bodies are invited to report on any recent meetings.

8 PLANNING MATTERS

8.1 Planning Applications

There are no planning applications for consultation.

8.2 Obstruction on Public Rights of Way

The Clerk to report on obstruction of public rights of way in the parish. Cheshire East Council's Public Rights of Way Unit is investigating and the Clerk expects to be able to report to the meeting.

9 BOROUGH COUNCILLOR'S REPORT

Borough Councillor W S Davies to report on Cheshire East matters of interest.

10 SHARED ITEMS

Members are able to share information or request items for inclusion on the next agenda.

11 DATE OF NEXT MEETING

19 May 2015 : Annual Parish Meeting and Annual Meeting of the Parish Council

Members are reminded that the **Annual Parish Meeting** is held on the same evening as the Annual Meeting of the Parish Council. These are two separate and distinct meetings but are held for convenience on the same evening.

The Parish Meeting comprises local government electors registered for the parish. If present, the Parish Council Chairman must chair the Parish Meeting. In her absence, the Vice-Chairman must preside if he is present; otherwise the meeting must elect its own chairman from those present. A Parish Meeting may discuss parish affairs, and resolutions may be passed which the Parish Council is obliged to consider but not necessarily accept.

The Parish Meeting must assemble annually between 1 March and 1 June. Proceedings must not begin before 6 pm. Decisions are taken by a majority of those present and voting.

At the **Annual Parish Council Meeting**, the Chairman and Vice-Chairman are elected to serve for the following year.

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.

There is no public participation at Parish Council meetings, other than at the annual meeting. However, 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, 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*).

There is no such thing in law as “urgent business” and if any matter is truly urgent because it must be dealt with before the next meeting, a special meeting should be arranged unless there are delegation arrangements in place to allow the Clerk to take certain decisions, in consultation with the Chairman. (S.101(1) Local Government Act 1972).

B) Exclusion of Press and Public

General Note on Exclusion:

When the Parish Council is invited to exclude the press and public from a meeting, it is irrelevant whether there are any members of the public or representatives of the press in attendance at that time. The purpose of the exclusion is to ensure that the documents and the item under discussion does not become a public domain matter. If the exclusion were not to be resolved by the Parish Council, then all matters under discussion and documents considered, are in the public domain.

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.

C) 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 contamination
7	Development effect on neighbouring properties, 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.