

# CHOLMONDELEY & CHORLEY PARISH COUNCIL

website: [www.cholmondeley-chorley.co.uk](http://www.cholmondeley-chorley.co.uk)

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Clerk

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

**DATE:** TUESDAY, 10 NOVEMBER 2015  
**TIME:** 7.30 PM  
**VENUE:** SCHOOL FARM, CHOLMONDELEY  
(Adjacent Cholmondeley Bowling Pavilion)

Enquiries to: Clerk: Carol Jones

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Signed

Issue date: 5 November 2015

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

cc: Cheshire East Borough Councillor Stan Davies

## 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 website ([www.burlandpc.org.uk](http://www.burlandpc.org.uk)). 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.

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.

# 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 a DPI to leave the meeting prior to the discussion of that item. For guidance, a list of disclosable pecuniary interests is appended at the end of the 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 – 15 SEPTEMBER 2015

### 3.1 Approval of Minutes

To follow

To approve as a correct record the Minutes of the Meeting held on 21 July 2015.

### 3.2 Matters Arising (not detailed elsewhere on the agenda)

#### ➤ Gate opening onto Wrenbury Road

The Clerk is awaiting a response from Cheshire East Council Planning in respect of this matter and will report to the January meeting.

## 4 CHOLMONDELEY ESTATE MATTERS

James Hall from the Estate Office will be in attendance to discuss refurbishment/replacement of the Cheshire railings and work required to bring the cross-roads (A49) up to an acceptable standard. This is expected to be by the end of the year.

## 5 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.

## 6 FINANCIAL MATTERS

### 6.1 Authorisation of Payments

The Parish Council is asked to authorise the following payments:

£160.00 Mrs C M Jones – Salary for the period 1 October – 31 December 2015.

£40.00 HM Revenue & Customs – Tax on Clerk's salary

To follow

### 6.2 Budget Monitoring 2015-2016 and Budget for 2016-2017

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

Precept requests are required by the Borough Council by 15 January 2016 and, if Members agree to bringing forward the January meeting by one week, the budget can be finalised at the January meeting.

The following documents are to be considered:

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

**7 REPORT OF BOROUGH COUNCILLOR W S DAVIES**

Borough Councillor Stan Davies to report on Cheshire East Council matters of interest.

**8 OUTSIDE BODIES/MEETINGS**

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

**9 PLANNING APPLICATIONS**

There are no planning applications for consultation.

**10 NEWSLETTER**

The Clerk was not able to issue the newsletter discussed at the previous meeting. A revised newsletter will be submitted with the aim of distributing it prior to Christmas.

To follow

**11 SHARED ITEMS**

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

**12 NEXT MEETING**

The next meeting is scheduled for 19 January 2016. Members are invited to consider bringing this forward to **TUESDAY, 12 JANUARY 2016** to enable the budget for 2016-2017 to be finalised. The final date for precept requests to be submitted to Cheshire East Council is 15 January.