



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

**DAY/DATE:** WEDNESDAY, 15 JULY 2020

**TIME:** 7.30 PM

**MEETING TO BE HELD REMOTELY, VIA VIDEO-LINK**

**PLATFORM:** ZOOM

**ACCESS:** Please click the link below to join the meeting:  
<https://zoom.us/j/88266988309>

**Please do not attempt to join the meeting before 7.25 pm  
as the meeting host may not have opened the meeting.**

Enquiries to: Clerk: Carol Jones

Issue date: 6 July 2020

*C M Jones*

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**Notes for Members of the Public:**

1. This meeting is being held remotely in accordance with regulations made under S.78 of the Coronavirus Act 2020. There are, therefore, no paper copies of the agenda or the accompanying documents.
2. All documents (other than those which are restricted) can be accessed from the Parish Council's website - [www.shavingtononline.co.uk](http://www.shavingtononline.co.uk).

# AGENDA

## 1 APOLOGIES

## 2 DECLARATION OF INTERESTS

Members to declare any (a) disclosable pecuniary interest; (b) personal interest; or (c) prejudicial interest which they have in any item of business on the agenda, the nature of that interest, and in respect of disclosable interests and prejudicial interests, to withdraw from the meeting prior to the discussion of that item.

In these circumstances, the Chairman will control the 'presence' of the appropriate Member and give him/her a time slot at which he/she can re-join the meeting.

Members are referred to the Code of Conduct for guidance (issued with the agenda papers for Annual Council on 8 May 2019 and adopted at that meeting).

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 circumstances.

## 3 MINUTES – 22 APRIL 2020

To approve as a correct record the Minutes of the meeting held on 22 April 2020.



## 4 PUBLIC QUESTION TIME

In accordance with the Parish Council's Standing Orders, members of the public may ask questions of the Council.

**As the meetings are held remotely, the Council has agreed that questions must be submitted in advance of the meeting to the Clerk (clerk@shavingtononline.co.uk). Please submit them by no later than 5.00 pm on the day before the meeting.**

The Chairman will read out the question and will respond to it. If he considers that another Member may have the relevant information, he will defer to that Councillor. If it is not possible to provide an answer at the meeting, a written response will be provided to the questioner after the meeting.

Members of the public are reminded that many of the issues often raised at meetings, should be referred to the appropriate authorities, and at the end of this agenda, is a list of contact details.

## 5 BOROUGH COUNCILLOR'S REPORT

Councillor David Marren will provide his information report in advance of the meeting. Members are encouraged to raise any queries direct with him prior to the meeting.

## 6 ANNUAL ACCOUNTS – 2019-2020

For ease of reference, the following is a list of all the documents to be considered as part of the accounts for 2019-2020.

- Internal Auditor's Report (with annotations by the Clerk).
- Annual Governance and Accountability Review (AGAR)
- Full expenditure ledger for the main Parish Council account.
- Full ledger for the Village Hall account showing expenditure and receipts.
- Summary Receipts & Payments statement for main Parish Council account.
- Summary Receipts & Payments statement for Village Hall account.
- Clerk's investigation into current value of fixed assets.
- Revised Fixed Assets List.

### **6.1 Internal Audit – JDH Business Services Ltd.**

The accounts have now been audited by the Internal Auditor and his report is enclosed. The Parish Council is invited to give responses to the points raised. The schedule has been annotated to include the Clerk's comments on the various recommendations. ✍

On the basis of the internal audit work carried out, the Internal Auditor's view is that the Council's system of internal controls *is inadequate and ineffective for the purpose intended and the Council, therefore, does NOT have a system in place*. The recommendations in the action plan need to be implemented promptly. Key points which will need to be addressed are:

- Ensure that Regulation 15 of the Account and Audit Regulations 2015 is adhered to by publishing the exercise of public rights by the deadline dates.
- Ensure that a photograph of the notice, as displayed in a notice-board, is taken and retained as evidence for the audit of the accounts in 2020-2021.
- Review where Councillors have undertaken roles in Village Hall administration committing the Council to expenditure.
- Re-establish internal controls over hall hire and ensure that all documentation can be made available for audit purposes.
- Set up a Task Group to review the fixed assets register.
- The Clerk to ensure that she resolves the issue of the VAT incurred on the refurbishment at the Village Hall.
- Ensure that budgetary control is improved during 2020-21.
- Re-investigate the shortfall of £315 in the Village Hall accounts, as identified during the 2018-19 audit.

It should be noted that many of the criticisms are a result of inadequate resourcing and the Parish Council will need to address this to avoid similar issues arising during the financial year 2020-2021.

### **6.2 Review of the Effectiveness of Internal Audit**

The Parish Council is asked to review the effectiveness of the internal audit process using page 1 of the Internal Auditor's report as the checklist against which the process should be judged.

The Internal Auditor's report shows that a robust audit has been carried out and the Parish Council is recommended to accept that the audit has been effective, and all requirements have been met.

### **6.3 Annual Governance and Accountability Review (AGAR) – Part 3**

The Annual Governance and Accountability Review document is enclosed. The order in which the sections of the AGAR are to be approved is specific and must be considered in the following order. Although not applicable for this meeting, local councils are able to approve Section 1 at one meeting, and Section 2 at a separate meeting. ✍

Despite the new arrangements under the Coronavirus Act 2020, there is still a requirement for a wet signature on the AGAR. When the AGAR has been approved, it can be posted to the Chairman for signature and return to the Clerk.

### **6.4 Section 1 – Annual Governance Statement – 2019-2020**

The Parish Council is asked to give specific consideration to points 1 – 9 as it is the Council's responsibility to ensure that there is a sound system of internal control, including arrangements for the preparation of the accounting statements.

In view of the Internal Auditor's observations, the Parish Council is recommended to acknowledge these by ticking 'No' to Points 1, 2, 4, 6 and 7.

## 6.5 Section 2 - Accounting Statement 2019-2020

The Parish Council is asked to approve Section 2 – Accounting Statement 2019-2020 for submission to PKF Littlejohn LLP, external auditor.

## 6.6 Review of Fixed Assets List

As part of the audit, the Clerk was required to carry out an investigation into the history of the value of the fixed assets list. The Clerk's report, together with a revised list is enclosed. The Parish Council is asked to approve the current value of the fixed assets, subject to any amendments to be made at the meeting.

## 6.7 Exclusion of Press and Public

(Reason for exclusion: The Receipts Statement for the Village Hall account identifies clients by name and has been withheld from public circulation and deposit.)

The Council 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 **Village Hall Receipts statement only**, owing to the confidential nature of the business to be transacted and the public interest would not be served in disclosing that information.

## 6.8 Full ledger for Each Account

To receive a copy of the full ledger for the two accounts (1) Parish Council main account; and (2) Village Hall account.

Members are reminded that owing to a reduction in income for the Village Hall, the only expenditure since May 2019 has been the monthly direct debit to Water Plus and British Gas.

## 6.9 Re-admittance of Press and Public

The Council is asked to re-admit the press and public to the meeting.

## 6.10 Summary Receipts and Payments Statement – 2019-2020

A summary receipts and payments statement for the Parish Council's main account is enclosed.

## 7 EXTERNAL AUDIT OF THE ACCOUNTS – 2018-2019

Arising out of the audit of the accounts for the previous financial year, the Clerk reported to the October 2019 meeting that the external auditor, PKF Littlejohn LLP had not yet submitted a final report on the accounts; however, one of its Audit Team sent an indication of an 'except for' opinion, as follows:

*The smaller authority failed to approve the AGAR in time to publish it before 1 July 2019, the date required by the Accounts and Audit Regulations 2015 and did not disclose this by answering 'No' in Section 1, Box 1.*

The report from PKF Littlejohn was eventually received on 3 December 2019. This report should have been submitted to the Parish Council at its January 2020 meeting, but the Clerk overlooked it.

The report is now submitted, and the Council may wish to comment.

## 8 ACCOUNTS – 2020-2021

### 8.1 Recent Payments

The following payments have been made either by direct debit (DD), debit card (DC) or BACS since 1 April 2020.

Company	Amount £ (gross)	Inv. No.	Date Paid/ Method	Service provided
Beardmore A/cs	35.00	1797	30 May (BACS)	Payroll
Beardmore A/cs	57.50	1747	30 May (BACS)	Payroll
Beardmore A/cs	16.00	1686	11 Jun (BACS)	Outstanding from 2019-20
Beardmore A/cs	14.00	1631	11 Jun (BACS)	
Beardmore A/cs	20.00	1847	1 July (BACS)	

Brave Little Tank	1,080.00	0952	1 May (DD)	Monthly retainer
Brave Little Tank	1,080.00	0964	1 June (DD)	Monthly retainer

Barbara Barlow	19.00	n/a	3 July (BACS)	Reimbursement for combination lock for allotments site.
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Crystal Clean	268.80	SI-1354	20 Apr (BACS)	Reduced cleaning at Village Hall as PCSOs still using facilities
Crystal Clean	192.00	SI-1367	9 May (BACS)	
Crystal Clean	144.00	SI-1394	14 Jun (BACS)	
Crystal Clean	215.00	SI-1319	Payment of £400 was made by cheque, on account, authorised on 18 March 2020. Invoice No. SI-1319 was subsequently issued showing a balance of £615.00. The outstanding amount was £215.	

Cymphony	48.00	46830	April DD	Call-handling Village Hall
Cymphony	48.00	47343	May DD	Call-handling Village Hall
Cymphony	48.00	47856	June DD	Call-handling Village Hall
Cymphony	67.20	70332	July DD	Call-handling Village Hall

Flowers by Alison	200.00	n/a	9 May (BACS)	Artificial flowers VE Day
Gradwell Comms.	19.46	129378	13 May (DD)	Dedicated phone line
Gradwell Comms.	16.55	133227	13 Jun (DD)	Dedicated phone line
Meller Speakman	900.00	K180769	2 Apr (BACS)	Recreation land assessment
Meller Speakman	996.00	K180798	30 May (BACS)	Completion of above

Northwich TC	84.00	4198	20 Apr (BACS)	Padlocks Vine Tree
Northwich TC	764.40	4223	30 May (BACS)	Grounds Maintenance
Northwich TC	1,917.60	4289	9 Jun (BACS)	Grounds Maintenance
Northwich TC	532.80	4300	14 Jun (BACS)	Grounds Maintenance

Note: Each of the invoices from Northwich Town Council are enclosed as the Parish Council is maintaining a watch on the performance of the contract.

Police & Crime Commissioner (25 Apr – BACS)	8,320.00	Although payment was made by cheque on 18 March 2020, the Clerk was contacted by Cheshire Police as they were unable to process cheques owing to the restrictions imposed under Covid-19. Payment has, therefore, been made by BACS and the cheque has been returned.		
Strategy 365	89.04	SI-11434	12 May (DD)	Email support
Strategy 365	89.04	SI-11496	12 Jun (DD)	Email support

Company	Amount £ (gross)	Inv. No.	Date Paid/ Method	Service provided
Shavington Primary School	5,500.00	n/a	1 May (BACS)	S.137 contribution
Village Hall client	15.00	n/a	30 May (BACS)	Refund for cancellation.
Zoom	14.39	15630913	15 April (DC)	First monthly payment
Zoom	14.39	20705405	15 May (DC)	
Zoom	14.39	26011675	15 Jun (DC)	
Scottish Power	173.12	DC	4 July (DC)	Village Hall (estimated reading)

## 8.2 Authorisation of payments

Supporting documents for each payment are enclosed.

£462.99	C M Jones - Cost of ink cartridges (copy order enclosed). The last claim for ink cartridges was made in November 2019.
£122.50	C M Jones – Contribution to membership of the Society of Local Council Clerks (Invoice attached). The fee is calculated by the SLCC based on the number of contracted hours per week. As the Clerk is also employed by another Council the payment has been divided 54% and 46%, with 54% relating to Shavington. The total cost of membership is £227.00. (Receipt awaited)
£526.80	JDH Business Services Ltd. Audit of Accounts 2019-2020. (£439.00 net and £87.80 VAT)
£1,380.60	Cheshire Association of Local Councils – annual affiliation fee.
£118.51	Councillor B Gibbs – reimbursement for on-line Village Hall Management arrangements provided by Skedda Pty Ltd.

## 8.3 Audit Implications

It is helpful for the Clerk to be able to make payments on-line, rather than to arrange for three Members to sign cheques and post to the various service providers, particularly in view of the current pandemic; however, there are audit implications which will not be apparent during the audit of the accounts for 2019-2020 but is something which will need to be addressed for the year 2020-2021.

The Parish Council did not request this level of on-line banking. The only requirement was for the Clerk to be an authorised signatory to enable her to communicate with the bank as and when required; however, the facility became operational without request.

Members have previously declined to reduce the number of cheque signatories from three to two on the basis that this reduces the potential for fraud, but the fact that the Clerk is the only one who is able to make payments without any checks, is a potential for fraud in itself, and will receive an adverse comment by the auditor next year.

In the meantime, the Clerk contacted the Internal Auditor about this matter, and he has advised that there should be internal controls over on-line/BACS payments. Either the banking system must permit Members to approve online a payment before it is submitted, or a list of payments should be sent to signatories before a BACS payment is made, and this must be signed by the signatories in advance. The signatories should then check a sample during the year of payments to verify the account paid was indeed the supplier's account on the invoice.

## 9 COVID-19 UPDATES (INFORMATION ITEM)

The following up-dated guidance has been issued by the National Association of Local Councils, based on Government guidance.

### 9.1 Re-opening of playgrounds

A guidance note is enclosed. If necessary, the Environment & Recreation Committee could arrange to meet during August to discuss this. ✍

### 9.2 Re-opening of Village Halls

A guidance note is enclosed. The Clerk will arrange for a meeting of the Village Hall Committee to be convened later in July/early August to discuss arrangements for re-opening the Village Hall. ✍

### 9.3 Continuation of Remote Council Meetings

The latest advice from the National Association of Local Councils is that where a local council has an identified need to hold a physical meeting, as it is unable to conduct Council business in any other way, they can consider doing so from 4 July 2020. These meetings must be managed within social distancing and safer workplaces guidance produced by the government, which includes the requirement to conduct a risk assessment to determine if it is feasible and safe to hold a physical meeting.

It is important that this risk assessment is carried out and any identified actions to reduce risk to attendees are implemented before any face-to-face meetings resume. Councils must keep documentation of this risk assessment and the reasons why the Council has taken the decision to return to face-to-face meetings.

## 10 APPOINTMENT OF COMMUNITY MANAGER

To consider short-listing candidates for the post of Community Manager, and holding interviews, remotely via Zoom, with Chris Mead of Brave Little Tank (subject to his agreement) observing the proceedings to give feedback on each candidate, in respect of their technical expertise.

Members are reminded that at its extra-ordinary meeting held on 18 March 2020, the Parish Council considered arrangements for the appointment of a Community Manager. The matter was left in abeyance, given the Covid-19 situation.

The Appointments Committee was set up on 5 February 2020 comprising Councillors B Gibbs, L Buchanan, R Moore and G McIntyre. The Clerk advised that to avoid breaching the Code of Conduct, Councillors B Gibbs and R Moore should decline to remain on the Committee on the basis that one of them was a friend of one of the candidates, and the other Member was a friend of a different candidate.

Members had expressed concern that these two councillors were the only Members who had sufficient technical knowledge to be able to appraise the candidates; however, this could be resolved by asking Chris Mead (Brave Little Tank) to become involved as an observer, giving feedback on the technical knowledge of each candidate, after each interview. He would not, however, participate in the interview itself.

The Clerk's advice about a potential breach of the Code of Conduct was not accepted at that meeting. Members are reminded that simply knowing a candidate is not sufficient to be regarded as a conflict; however, the test is '*would a member of the public, knowing all the facts, reach a conclusion that the decision had been made without bias*'. Members are also reminded that perception of bias is as important as actual bias. The Clerk's advice remains that by being a friend of a candidate breaches paragraphs 2.3, 4.3, 4.4, 4.5, 4.7, and potentially *Other Interests – Personal Interests*, paragraphs 13-18.

As always, the Clerk offers advice, but the decision is for the Councillor alone to take, and not for him/her to seek the consent of other Councillors.

The Council is invited to –

- Convene an Appointments Committee of no more than five Members, with the power to:
  - Shortlist candidates.
  - Interview candidates
  - Decide on a date for interviews (to be held remotely)
  - Appoint to the post.
  - Agree a starting date.
- Agree a salary for the Communications Manager: The financial allocation in the budget is £8,600.00.
- Decide if the appointment should be made with a period of probation.
- Discuss any Data Protection implications, given that the post-holder, at least initially, will be using their own laptop computer.

## **11 INTERIM ARRANGEMENTS FOR SOCIAL MEDIA SUPPORT**

The Parish Council is asked to consider authorising Brave Little Tank to carry out the social media function which forms part of the role of the Communications Manager (yet to be appointed). This would be an interim measure only until a Community Manager is appointed.

On 21 March 2020, the Clerk, in consultation with the Chairman, authorised Brave Little Tank to undertake the social media role until 21 May 2020. This was approved for the two-month period at a fee of £1,000 net. A further contract was awarded on 21 May 2020 for the two months to 21 July 2020.

As the national situation remains uncertain, the Parish Council is asked to authorise Brave Little Tank to continue to provide social media support for a period (to be agreed at the meeting), dependent on the national situation and the arrangements made in item 10 above.

## **12 REVISED SCHEME OF DELEGATION TO THE CLERK**

At the start of the lockdown under the Coronavirus Pandemic, local councils were advised to review their schemes of delegation to provide for additional responsibilities to be delegated to their Clerks/Responsible Financial Officers, but within legislative requirements including the Parish Council's Standing Orders and Financial Regulations.

The enclosed document updates the current Delegations to the Clerk. The highlighted sections are those which have been added to the existing scheme.

If this is approved, a specific resolution is also required to increase the financial limit under Regulation 4.1 from £1,000 to £2,000. This would be for the duration of the lockdown and can revert to £1,000 at the conclusion of the lockdown.

## **13 REMEMBRANCE SUNDAY – 8 NOVEMBER 2020**

**13.1** The Parish Council is invited to consider road closure arrangements for Remembrance Sunday on 8 November 2020.

The Clerk received notification from Cheshire East Council about arrangements for Remembrance Sunday (subject to the national situation). It is a requirement that if local councils are planning temporary road closures, they must not only submit a formal request (as usual) under the Town Police Clauses Act 1847, but must also ensure that a traffic management company (eg Amberon) is engaged to undertake this responsibility.

At its meeting held on 11 March 2020, the Community Engagement Committee agreed that there should be no formal road closure this year, and that the local PCSOs would be asked to manage the traffic.



If there is no formal road closure request, Cheshire Police will not permit the PCSOs to assist in directing traffic, as the Parish Council would not be able to comply with the regulations.

### **13.2 Venue for Service: Use of Main Hall at Shavington Primary School**

At the Chairman's suggestion, the Clerk contacted the school to ask about the possibility of reserving its main hall for the service, taking into account any Covid-19 Government arrangements to be put in place in November.

The school (Liam Lewis, the Chief Financial and Operations Manager) is not able to agree to this at present but will make contact in a few months when the national position is clearer.

## **14 PLANNING MATTERS**

The Parish Council is invited to comment on the following planning applications. These can be viewed [By Clicking Here](#)

20/2342N Pusey Dale Farm, Main Road, Shavington CW2 5DY  
Proposed general purpose storage building

Deadline date for comments: 15 July 2020

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20/2054N 20 Wessex Close, Shavington CW2 5HX  
Detached garage

Deadline date for comments: 23 July 2020

## **15 GROUNDS MAINTENANCE**

To review the grounds maintenance arrangements with effect from the date of the new Service Level Agreement.

## **16 INFORMATION ITEMS**

### **(A) Allotments Site:**

To report that two residents who were on the waiting list for a plot at the allotments site, were allocated a plot in April 2020. The two vacancies arose when one of the plot-holders died, and another plot-holder, who was a tenant of two plots, relinquished one of his plots.

**(B) CIL Payment:** As notified to Members by email, Cheshire East Council has deposited the CIL payment of £1,834.80 into the Parish Council's bank account.

**(C) Police Beat Reports:** Issued to Members as they are received by the Clerk.

### **(D) Clean Team Campaign:**

Brave Little Tank has launched a campaign, instigated by the Clean Team (via Councillor Hancock) to encourage residents to cut-back overhanging trees and if possible, to weed the pavements in front of their houses.

A copy of the social media posts is enclosed for information.

### **(E) Shavington Scout Group:**

At its meeting on 22 April 2020, the Parish Council considered a request from Shavington Scouts, for a grant of £1,500 to offset its current financial position as a consequence of the Coronavirus pandemic.

The Group has been successful in receiving funding from Cheshire East Council and no longer requires a grant from the Parish Council.

**(F) Website Accessibility** (The Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018)

Enclosed is a copy of the NALC Guidance on the above regulations with which local councils must comply by 23 September 2020. The Community Engagement Committee was made aware of this requirement at its meeting on 18 December 2019. A copy of the document has been forwarded to Brave Little Tank which is currently re-creating the Council's website.

**(G) Gas Supply at Village Hall**

The Clerk has cancelled the direct debit facility in respect of the gas supply at the Village Hall and has asked British Gas to send invoices for approval by the Parish Council.

Since February 2020, a total sum of £1,092.28 has been withdrawn via direct debit; this is in two separate amounts. (1) on 25 February £718.50 was withdrawn, and (2) on 13 March £372.78 was withdrawn.

The Clerk sent an email to British Gas on 20 March 2020 to query the amount, but no response was received, and she spoke to an agent who was at a loss to explain the reasons for the withdrawal. The Clerk emailed again on 15 June 2020, and subsequently contacted the bank to stop the direct debit facility.

British Gas wrote to the Clerk on 13 June 2020, to acknowledge that it had received notification from the bank about the withdrawal of this facility.

A further email was sent to British Gas on 15 June 2020, but the email account is no longer operating, and any queries are dealt with via a 'webchat'.

The Clerk made contact through the webchat and an automated response indicated that there was a queue of nine and wait time of 11 minutes. An update of the queue position was given every minute and when it reached No. 1 the automated message was triggered stating '*Agent has left the chat*' even though there had, at this stage, been no communication with an agent.

The Clerk has now written a letter to British Gas and will keep Members updated in respect of this matter.

**(H) Water Services at Village Hall**

Members have previously commented on the high charges for water services, and as with the gas supply, the Clerk has also withdrawn the direct debit facility for Water Plus.

The monthly charges of £46.89 were withdrawn from the Village Hall account. This was notified to the Clerk on 23 May 2019; however, prior to this, the Parish Council paid by cheque. During 2019-2020, a total of £2,453.54 has been paid (£616.35 by direct debit from the Village Hall account, and £1,847.19 by cheque from the main Parish Council account).

Water charges in previous years have averaged out at £300+ each year.

The Clerk emailed Water Plus on 12 January 2020 to query the charges. No response was received. On 13 June 2020, the Clerk received notification that £586.70 was owed, and it was following this letter that the Clerk asked the bank to cease the direct debit arrangement.

Water Plus has now responded as follows:

*'Thank you for your contact received via email on 12 January 2020 regarding increase in the bills. I have investigated this for you. On 11 June 2019 we consolidated your surface water highway drainage with your clean and waste-water account. This created a higher bill as it is added charges.'*

*.Surface water is for the rain that falls onto the property, off the property and into the drains around the property. We then take the water away to be cleaned. Highway drainage is for the upkeep and maintenance of the drains and roads around the property. This invoice was credited to your account; you would have received a copy of the credit note. Your account with us is currently in credit by £493.48.*

In that same email, Water Plus stated that there is now a requirement to pay £586.70. The Clerk has requested a copy of the invoice. If the account is currently in credit by £493.48, it is not clear if the £586.70 is additional.

It is disappointing that it is only the withdrawal of the direct debit facility which has prompted Water Plus to respond to a request for information, submitted over six months ago.

#### **(J) CEC – PLANNING UPDATE**

To receive a Strategic Planning Update from Cheshire East Council.

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#### **17 EXCLUSION OF PRESS AND PUBLIC**

The Council 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 items owing to the confidential nature of the business to transacted and the public interest would not be served in disclosing that information.

#### **18 18.1 SHAVINGTON YOUTH CLUB 18.2 DISPOSAL OF 140 MAIN ROAD, SHAVINGTON**

(Reason for exclusion: Relates to legal matters which involve Cheshire East Council and the Parish Council is not able to discuss these in public.)

These two items can be discussed together as each impinges on the other.

**18.1** Members are asked to note that the Youth Club has now ceased its activities and is withdrawing from its occupancy of 140 Main Road, on 31 August 2020.

The Club has two planters which it would like to donate to the Parish Council. The location of these planters can be discussed at this evening's meeting, or referred to the Environment and Recreation Committee, in due course, for decision.

**18.2** At the April 2020 meeting, the disposal of 140 Main Road was discussed, and the following was the resolution.

**RESOLVED:** (a) *That a small working group be established which would meet with the appropriate Portfolio Holder and Officers at Cheshire East Council to discuss options for a potential transfer of 140 Main Road, Shavington, to the Parish Council;*

(b) *That the Working Group comprise Councillors B Gibbs, L Buchanan, and J Hassall;*

(c) *That each Member consider the issues raised at this meeting and email the Clerk with their views on the advantages and disadvantages of accepting 140 Main Road, Shavington as a Parish Council asset;*

(d) *That the Clerk retain the emails for future consideration; and*

(e) *That no further action be taken at this time.*

Councillor Hancock is the only Member who submitted comments, and these are enclosed.

✍

Members of the Working Group arranged to meet with Officers from Cheshire East Council, and its notes of that meeting are enclosed.

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**19 STORAGE SHED – VILLAGE HALL  
USE BY SHAVINGTON VILLAGE FESTIVAL COMMITTEE**

At its meeting on 3 April 2019, the Parish Council considered allowing the Festival Committee to use the building in the Village Hall car park for the storage of items in the event of the Committee being unable to continue with its present arrangements. This would initially be for a period of 12 months.

It was agreed that the request be granted and that the Festival Committee be permitted to use the storage facility in the Village Hall car park, for a 12-month initial period, from the date when it became necessary.

Councillor Hancock has advised that the Festival Committee is now taking up this offer and is currently arranging for re-location of Festival Committee equipment from 140 Main Road to the storage shed.

A draft agreement is enclosed for consideration.

**20 LAND ASSESSMENT – AVAILABILITY OF LAND FOR RECRETATIONAL PURPOSES**

To consider the report of Meller Speakman following its assessment of land availability in the parish and to decide if action should be taken in respect of the recommendations.

**21 FUTURE MEETINGS**

In view of the guidance on remote meetings, it is suggested that the Parish Council might wish to re-introduce monthly meetings, with effect from 2 September 2020. Committee meetings can be held as and when required.



## NOTES FOR COUNCILLORS

### **Exclusion of the Press and Public**

This is a reminder to Members about the rationale behind exclusion of the press and public for parts of Parish Council meetings.

In principle, the public (which includes the press and Ward Councillors) is entitled to be present at all meetings of the Council and its committees, and sub-committees. The Council (or its Committees/Sub-Committees) however, may exclude the public for a particular item of business, if it is reasonably of the opinion that such exclusion is in the public interest. Under the Public Bodies (Admission to Meetings) Act 1960, the Parish Council has broader powers than the Borough Council, to exclude members of the press and public on the grounds that the matter(s) to be discussed are of a confidential and special nature and the public interest would not be served in disclosing that information.

Business is “confidential” if its discussion must be kept secret; if it is “special” the reasons for secrecy must be stated in any case where the need for secrecy is not obvious; for example, where matters are of a sensitive nature which might contravene the provisions of the Data Protection Act 1998.

Where the public and press have been excluded, the decisions made in the closed session must be minuted and a record should be kept of who was present at the session, if different from those who were present throughout the meeting. It is good practice to record when Members either join or withdraw from a meeting. The minuting of this part of a meeting will, of necessity, be more circumspect than the minuting of items in open session.

At this point in the proceedings, it is irrelevant whether there are any members of the public or press in attendance. The purpose of the exclusion is to ensure that all matters discussed, and documents considered, remain confidential. If there was no exclusion, then members of the public would be entitled to be informed of the content of all discussions and to receive a copy of documents considered,

There are occasions when it is necessary for individuals other than Members or the Clerk 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. As an example, Ward Councillors will sometimes have knowledge that other members of the public might not, but whilst they make a valuable contribution to Parish Council meetings, in legal terms they are members of the public.

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.

It should also be noted that whilst Parish Councils often permit Borough Councillors to address the Council and to participate in discussion on matters which might have a borough implication, they have no greater standing than any other member of the public.

## NOTES FOR MEMBERS OF THE PUBLIC

### PUBLIC QUESTION TIME

Members of the public are able to ask questions, submitted in writing by no later than 5.00 pm on the day prior to the meeting, about any item on the agenda or any matter relating to the Parish Council's business. Questions or comments in respect of the following should be directed to the appropriate authority as indicated.

- Unauthorised parking  
Where there are parking restrictions in force, contact  
Cheshire East Council 0300 123 5020  
Where there are no restrictions in force, contact the Police 101
  
- Health provision, eg. doctors' surgeries  
There are two main types of health services provided by the  
NHS in Cheshire East. These are community-based services and  
hospital-based services (acute sector).  
For hospital-based services, contact the Mid-Cheshire Hospitals Trust  
(Leighton Hospital) 01270 255141  
  
For general community services, contact  
South Cheshire Commissioning Group (based at Barony Court,  
Nantwich) 01270 275283  
GP Services - Rope Lane Medical Centre, Shavington 01270 275990
  
- Education  
Contact the schools direct or the Cheshire East Information Line 0300 123 5500  
Shavington Primary School 01270 661527  
Shavington Academy 01270 685111
  
- Play Areas
  - Vine Tree Play Area (Parish Council) 01270 812065
  - Wessex Close Play Area (Cheshire East Council) 0300 123 5011
  
- Cheshire East Council
  - Bus and train times (Traveline) 0871 200 2233
  - Council Tax and Housing Benefit 0300 123 5013
  - Car parks 0300 123 5020
  - Planning enforcement 0300 123 5014
  - Pot-holes and highway maintenance 0300 123 5020
  - Electoral registration 0300 123 5016
  - Environmental Health 0300 123 5015
  - Street lighting 0300 123 5020
  - Planning and Building Control 0300 123 5014

It is not a good use of the Parish Council's time for members of the public to raise issues about hedges, street lights, pot-holes and so forth during public question time. Such matters should be reported direct to the Borough Council either by phone or using its on-line system of reporting faults. Alternatively, please contact the Clerk who can take action, or report matters as appropriate.