

**MINUTES OF A MEETING OF
SHAVINGTON-CUM-GRESTY PARISH COUNCIL HELD ON 7 APRIL 2021**
**THE MEETING WAS HELD REMOTELY IN ACCORDANCE WITH REGULATIONS
UNDER S.78 OF THE CORONAVIRUS ACT 2020**

PRESENT: Councillor B Gibbs Chairman
Councillor V Adams Councillor K Gibbs
Councillor L Buchanan Councillor R Hancock
Councillor G McIntyre

IN ATTENDANCE: Mr W Atteridge – Chairman of the Neighbourhood Plan Steering Group

APOLOGIES: Councillors M Ferguson and R Moore

426 DECLARATION OF INTERESTS

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

Councillor Hancock declared a personal interest in Minute No. 441 (Shavington Village Festival Committee) on the basis that she was the Parish Council's representative on the Committee.

No other declarations were made.

427 MINUTES

427.1 RESOLVED: That the Minutes of the following meetings be approved as correct records:

Ordinary meeting held on 3 March 2021.

Extra-ordinary meeting held on 17 March 2021.

Extra-ordinary meeting held on 31 March 2021.

427.2 Minutes – Appointments Committee

The Minutes of the Appointments Committee meeting held on 17 March 2021 were received.

Note: These minutes could only be approved by the Committee; not the Council.

428 PUBLIC QUESTION TIME

Members of the public were able to ask questions in accordance with the Parish Council's Standing Orders. Please use the link on the front page to register.

Questions from members of the public included the following topics:

- A resident commented that his observations on a planning application had not been posted on the CEC planning portal.
- 140 Main Road, Shavington (formerly occupied by the Youth Club). This related to the potential transfer of the asset from Cheshire East Council to the Parish Council.

Dr Kieran Mullan, MP for Crewe & Nantwich, who raised the issue, suggested that he was able to access multi-million pound grant funding to enable the building to be brought back into use as a youth club. He proposed (a) seeking support from Cheshire East Council to fund the repairs required to bring the building up to a satisfactory condition; and (b) he would write to all residents to inform them of his proposal.

Whatever decision was reached by the Parish Council, residents in the parish would be consulted in view of the potential significant expenditure required to bring the building up to a satisfactory standard.

429 POLICE MATTERS – BEAT MANAGER’S REPORT

The Beat Manager’s report, and traffic data had been forwarded to Members under separate cover.

There were no questions raised.

430 CASUAL VACANCIES

430.1 It was reported that Councillors Nicola Cooper and Jane Hassall had resigned. These were regarded as casual vacancies and as such, Cheshire East Council had been notified, and a notice inviting the appropriate number of registered electors to call an election, had been posted on-line and in the notice-board.

In the event of no election being called, the Parish Council would be able to co-opt to the vacancies.

430.2 Current Position on Membership

The current position for membership of the Council, as a whole, was noted. There were 12 seats on the Council (10 in the Village Ward and two in Gresty Brook Ward).

Name	Ward	Elected or Co-opted
Vivien Adams	Village	Elected
Linda Buchanan	Village	Elected
Matt Ferguson	Village	Elected
Benjamin Gibbs	Village	Elected
Kevin Gibbs	Village	Elected
Rene Hancock	Village	Elected
Gordon McIntyre	Village	Co-opted
Ryan Moore	Gresty Brook	Co-opted

There was a distinction drawn between seats which were vacant where there had been no candidates at the election in May 2019, and a casual vacancy which could arise in several ways, one of which was where a councillor resigned.

For casual vacancies, a notice must be prepared and advertised, inviting ten registered electors to give notice to the Returning Officer requesting an election to be held within 14 days of the date of the notice (excluding Saturdays Sundays, Christmas Eve, Christmas Day, Good Friday or a Bank Holiday).

There was one seat remaining in Gresty Brook Ward and one seat remaining in Village Ward, both as a consequence of insufficiency of candidates at the elections in May 2019. The Parish Council would be able to co-opt to these vacancies at its meeting on 5 May 2021.

431 BOROUGH COUNCILLOR DAVID MARREN - REPORT

The Council received Councillor David Marren’s report on Cheshire East Council matters of interest, together with an update in respect of outstanding parish matters. Councillor Marren drew attention to the following items.

- Borough Council calendar of meetings for 2021-2022 had been approved by the Constitution Committee for recommendation to full Council at its meeting to be held on 19 April 2021.
- The Borough Council's Constitution had been up-dated and would be submitted to full Council for adoption.

432 REPORT OF COMMITTEE CHAIRMEN

Committee Chairmen were invited to report on activities for their Committees and the Task Group meetings of each Committee.

432.1 Community Engagement Committee (Councillor Kevin Gibbs)

Councillor Kevin Gibbs reported that there had been no Task Group meetings, but there was a need for either a Committee meeting or a Task Group meeting to consider the following:

- Remembrance Sunday 2021
- Assistance to support the Village Festival in July 2021
- Future events

432.2 Environment and Recreation Committee (Councillor M Ferguson)

In the absence of Councillor Ferguson there was no report.

432.3 Village Hall Committee (Councillor V Adams)

Councillor Adams reported that there had been no Village Hall task group meetings.

It was expected that the Village Hall would be able to re-open from 21 April 2021 but only for children's events.

433 COMMUNITY GOVERNANCE REVIEW (known colloquially as 'BOUNDARY REVIEW')

433.1 The Boundary Review Task Group recommended the following for approval by the Parish Council.

- a) An A5 leaflet to be distributed to all households, printed by Solopress and delivered by The Leaflet Team.
- b) Six banners to be prepared for locating around the parish.
- c) A page to be created for uploading onto the website, to comprise the same information as in the leaflet produced.
- d) Social media posts to be uploaded, comprising the same information as in the leaflet.
- e) Appropriate budget to be spent on social media.
- f) Approval required for 'download assets' to be downloadable by residents to enable them to print their own posters from the website.
- g) To note the target date for delivery would be week commencing 19 April 2021, but this would be dependent on The Leaflet Team's availability.
- h) Funding for to be vired from one of the budget lines for events, to fund the majority of the expense.

Draft copies of the leaflet and posters had been issued to Members over the Easter weekend.

RESOLVED: (a) That the recommendations of the Boundary Review Task Group, as detailed above, be approved;

(b) That the Clerk, in consultation with the Chairman, be authorised to approve expenditure as appropriate; and

(c) That Councillor Gordon McIntyre be appointed to the Task Group.

433.2 It was reported that Councillor Benjamin Gibbs had been unavailable to address the Cheshire East Council (CEC) Constitution Committee on 6 April 2021 (moved from 26 March 2021) to present the Parish Council's objections to the proposals for a review of the parish boundaries. Councillor Kevin Gibbs had deputised for him.

The Constitution Committee was asked to approve the recommendation of the Community Governance Sub-Committee which was that the draft proposals attached at Appendix B to this report be formally agreed for the purposes of consultation and consulted upon for a 12-week period.

Borough Councillor David Marren had proposed an amendment, which was carried, the effect of which was to require CEC to carry out a household referendum (not a referendum of individual electors) in those parishes where there was a proposed change of name for the parish, and/or households would be transferred from one parish to another.

Although this referendum was to be conducted by Cheshire East Council, it would be at the request of the appropriate Parish Council, and the results of the referendum would be binding on Cheshire East Council.

(Note: Councillor L Buchanan withdrew from the meeting at this point in the proceedings.)

434 NEIGHBOURHOOD PLAN - GRANT

Members recalled that the grant made by Groundwork UK (part of Locality) was £1,733.27 had been awarded on the basis that it must be spent by 31 March 2021 and the following was the expenditure:

- Printing Referendum version of the Neighbourhood Plan - £527.00.
- The Leaflet Team – delivery of publicity material for the Referendum version of the Neighbourhood Plan - £289.00.
- Brave Little Tank - £820.00 net (total gross is £984)
- Solopress – six banners advertising the Referendum - £264.63 (£317.56 gross)

Total net expenditure was £1,900≈. This left a shortfall of £167.00 and the Parish Council was asked to consider if this should be funded from general reserves, or virement from another budget head.

Arising out of discussion, Members commented on the poor quality of the banners provided; they were not robust enough and had already become damaged. Alternative banner suppliers would be sought for any future requirements.

RESOLVED: That the shortfall of £167.00 which was required to fund publicity associated with the Neighbourhood Plan Referendum, be vired from one of the Events budgets.

(Note: Mr W Atteridge withdrew from the meeting at this point in the proceedings.)

435 FINANCIAL MATTERS

435.1 Payments made under the revised Scheme of Delegation

The following payments made by the Clerk were reported. These were additional to the various routine direct debits made.

£8,320.00	Cheshire Constabulary – Funding of cost of one PCSO (quarterly cost)
£180.00	Crystal Clean Ltd. – cleaning of Village Hall (£150.00 net and £30.00 VAT)
£289.00	The Leaflet Team – delivery of Neighbourhood Plan leaflets
£289.00	The Leaflet Team – Delivery of 2,000 newsletters

£65.00	The Leaflet Team – Delivery of balance of newsletters not provided for first delivery.
£984.00	Brave Little Tank – Artwork associated with Neighbourhood Plan (£820.00 net and £164.00 VAT)
£48.75	Scottish Power – electricity supply Village Hall
£595.71	Solopress – Printing of quarterly newsletter
£527.00	Solopress – 300 copies of A4 Referendum version of Neighbourhood Plan.
£317.56	Solopress – six banners advertising the NP Referendum.
£45.00	Beardmore Accountants – payroll service
£577.94	British Gas – supply at Village Hall
£216.00	Crystal Clean South Cheshire (£180.00 net and £36.00 VAT)
£1,380.60	ChALC – Annual Affiliation fee
£712.80	Northwich Town Council (Invoice 4852 – copy attached) (£594.00 net and £118.80 VAT)

435.2 Refund to the Parish Council

It was reported that a set of headphones had been purchased for the Community Manager but they had eventually ceased to function. These had been provided by Insight. The company had made a refund of £287.99 and arrangements would be made to order a new set of headphones.

435.3 Police Car for Use by the Parish Council

It was recalled that Cheshire Police did not provide costs regarding the acquisition of a retired police car, in time for specific consideration at the Parish Council's budget meeting; however, a sum of £1,800 had been included in the final budget (Line 33).

Cheshire Police had now advised that the following options were available:

- 1) No charge but the vehicle could be used by other PCSOs and PCs on the neighbourhood team, but PCSO Corbett would be given priority whenever he was on duty.
- 2) For an annual charge of £750, the Parish Council could have exclusive use of the vehicle by PCSO Corbett and PC Sadir (new Beat Manager for Shavington). In the event of an emergency or major incident the Police reserve the right to use the vehicle elsewhere.

In these circumstances, Sgt. Martin Caldwell would monitor the situation and report back to the Parish Council.

RESOLVED: (a) That the Parish Council accept Cheshire Constabulary's offer of a police car at an annual charge of £750.00 for the exclusive use of a vehicle by PCSO Corbett and PC Sadir (new Beat Manager for Shavington); and

(b) That in the event of an emergency or major incident, the Police reserved the right to use the vehicle elsewhere.

436 POLICE SERVICE – SERVICE LEVEL AGREEMENT (SLA)

The Parish Council was asked to approve the Service Level Agreement (SLA) between Cheshire Constabulary and the Parish Council, in respect of the services of PCSO P Corbett. No changes had been made to the current SLA.

RESOLVED: That the Service Level Agreement between Cheshire Constabulary and the Parish Council, be approved.

436 INSURANCE CLAIM – DAMAGED PLANTER

436.1 Came & Company had acknowledged the claim request for the damaged planter; however, as there was a £250 excess on the policy, the funds left to be paid to the Parish Council would be £144.00. Came & Company would not normally recommend pursuing a claim for this small amount, in the interest of retaining lower premiums.

The Parish Council was asked to consider if a claim should be pursued.

To enable a claim to be processed, the following information would be required.

- The date the damage occurred or when first reported.
- Location/address and postcode (if possible) of the damage.
- Any photos of the damage.
- The estimates (ideally two independent quotes, for comparison) for the repairs or replacement needed, on a like-for-like basis, including the cost of installation.

RESOLVED: That the Parish Council decline to submit a claim for the damage to the planter on Main Road, Shavington, on the basis that the likely sum to be paid to the Council under the claim, could result in an increase in premiums.

437 LENGTHSMAN

At the meeting held on 3 March 2021, the Parish Council agreed that advertising for a lengthsmen as an independent contractor was the preferred option; the other option being to engage him/her as an employee.

The Parish Council was asked to agree a timeline for advertising and a closing date for receipt of quotations.

RESOLVED: (a) That an advertisement be placed in the June 2021 newsletter inviting quotations from potential contractors by 30 June 2021;

(b) That the Committee (Councillors V Adams, K Gibbs, R Hancock and M Ferguson) review the applications, with a view to interviewing contractors on a date to be agreed; and

(c) That the contract commence on 6 September 2021.

438 CALENDAR OF MEETINGS – 2021-22

It was expected that the regulations regarding remote Parish Council meetings via Zoom may change in May 2021. The National Association of Local Councils (NALC) had reported that the Government had no plans to introduce emergency legislation to extend the provision for remote meetings beyond May 2021.

NALC was still pursuing this, but the current aim was to re-introduce physical meetings after 7 May 2021.

The Clerk had forwarded to Members the latest guidance from the Society of Local Council Clerks (SLCC) which advised on arrangements for the continuation of remote meetings (to 7 May 2021) and reversion to physical meetings.

A draft Calendar of Meetings was submitted for the period May 2021 – May 2022, based on an assumption that there would be an Annual PARISH Meeting, followed by the Annual Council meeting on 5 May 2021.

RESOLVED: That the draft Calendar of Meetings be submitted to the Annual Council Meeting to be held on 5 May 2021 for approval.

439 FORTHCOMING MEETINGS

Finance Committee Meeting: 29 April 2021¹

There was a scheduled Finance Committee meeting for 29 April 2021 to consider the accounts for 2021-22 prior to submission to the Internal Auditor. The Committee would then make recommendations to full Council in May or June.

Next Parish Council meeting: 5 May 2021

440 CAMERON AVENUE

The Clerk sought three quotations for the work required at Cameron Avenue to inspect the trees and take action as appropriate.

The only company which quoted was AH Tree Surgeon. The cost was £485.00 and the Clerk, in consultation with the Chairman, had approved this quotation, copies of which were enclosed for information. The work was due to start imminently.

441 SHAVINGTON VILLAGE FESTIVAL COMMITTEE – FESTIVAL 10 JULY 2021

The Parish Council received a letter from Shavington Village Festival Committee about the scaled-down Festival to be held on 10 July 2021.

The Parish Council was asked to nominate a representative to attend the meeting.

RESOLVED: (a) That as the Parish Council's representative on Shavington Village Festival Committee, Councillor Rene Hancock attend the meeting on 8 April 2021;

(b) That the Parish Council support the Village Festival by promoting the event and providing the Committee with free use of the Village Hall; and

(c) That the Parish Council fund the cost of traffic management on the day, in the sum of approximately £800.00 by engaging the services of Amberon.

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

443 REQUEST FOR COUNCILLOR'S LEAVE OF ABSENCE

(Reason for exclusion: personal matters relating to a councillor)

The Parish Council was asked to approve a six-month period of absence for Councillor Ryan Moore, in accordance with S.85 of the Local Government Act 1972.

The reasons for absence were reported at the meeting. The period of absence would conclude in August 2021. If a further request for absence was received, this would be considered by the Parish Council.

RESOLVED: That the Parish Council approve a six-month absence for Councillor Ryan Moore for the reasons given.

¹ Subsequently cancelled

444 APPOINTMENT OF CLERK
(Reason for exclusion: Staffing matter)

It was reported that the Appointments Committee had agreed on the appointment of a new Clerk/Responsible Financial Officer.

The new postholder would take up post on 17 May 2021.

445 140 MAIN ROAD, SHAVINGTON
(Reason for exclusion: Potential contract arrangement with Cheshire East Council)

The Parish Council considered the Clerk's report which was based on her discussions with Officers from Cheshire East Council.

The report provided an explanation of how CEC was able to dispose of assets to the next tier of local government (ie local councils) or community groups, for a nominal sum. In order to do that, CEC would need to have a compelling reason that the asset would be brought forward for community use. In these circumstances, CEC would offer a lease, with restrictions as this would ensure that the actual uses which were proposed would be undertaken, enabling CEC to act in accordance with the Local Government Act and in line with its policies relating to the disposal of assets and community asset transfer.

The terms of such a lease would be negotiated. S.123 of the Local Government Act 1972 stipulated that *a principal council may dispose of land held by them in any manner they wish, and except with the consent of the Secretary of State...shall not dispose of land under this section, otherwise than by way of a short tenancy, for a consideration less than the best that can reasonably be obtained.*

A community asset transfer was not designed to generate a commercial opportunity for the benefiting organisation; this would not be in the spirit of community asset transfer.

The Parish Council considered it essential to know the value of the building to enable it to make an informed decision. The Officers had suggested that the services of the District Valuer could be engaged.

The District Valuer was the specialist arm of the Valuation Office Agency. It provided independent, impartial, valuation and professional property advice across the entire public sector, and where public money or public functions were involved. The District Valuation Service was part of the Valuation Office Agency.

The Officers had stated that they required the Parish Council to come to a conclusion, one way or the other, by mid-June 2021, so that Cheshire East Council could make a decision about the future of the building.

RESOLVED: (a) That the District Valuer be asked to provide a valuation for the building;

(b) That the cost of repairing the building be established;

(c) That the Parish Council make a decision in respect of acquiring 140 Main Road, at the May meeting;

(d) That the Clerk contact Cheshire East Council Officers:

- To request an asset valuation figure for the building.
- To ask if any part of the report could be disclosed to enable information to be included in either the next newsletter, or a dedicated newsletter seeking residents' views.

(e) That Dr Kieran Mullan, MP be asked to provide further information in respect of the source of funding which might be available to operate the building as a youth club; and

(f) That the Parish Council welcomed and supported the proposed alternative as indicated by Dr Kieran Mullan, MP

(Note: Councillor V Adams withdrew from the meeting at this point in the proceedings.)

446 BRAVE LITTLE TANK – RETAINER CONTRACT

(Reason for exclusion: relates to contractual arrangements between the Parish Council and the contractor.)

The creative retainer contract with Brave Little Tank came to an end on 31 March 2021 and the Parish Council was invited to decide how to proceed.

The current rate was £900 per month plus VAT. New price rates are effective from 1 May 2021 and if the contract is operated as a rolling contract the price would increase to £1,000 per month plus VAT.

If the Council were to agree to a further 12 or 24 month contract (before 30 April 2021), Brave Little Tank will honour the existing arrangement of £900 plus VAT for the length of the contract.

The options, therefore, were –

- 12 month continuation
- 24 month continuation
- Decline both of the above and move to a rolling contract at new costs; or
- Seek another supplier.

RESOLVED: (a) That, for the following reason, the Parish Council waive the Financial Regulations relating to contracts to enable a price to be negotiated without competition;

- Brave Little Tank (the current contractor) had worked in partnership with the Parish Council for a period in excess of five years, creating specific branding for the Council which included one brand for Parish Council assets, and a separate brand for community-related assets;
- The Council had built up a close working relationship with the company;
- The Council did not currently have the internal resources to source potential alternative suppliers who may be able to deliver the product;
- The company had offered to continue at the same rates for the next two years;

(b) For the above reasons, the Parish Council was satisfied that the high standard of work produced by Brave Little Tank would continue; and

(c) That the contract be accepted on the basis of a 24-month continuing arrangement at a price of £900.00 net per month, with effect from 1 April 2021.

447 RECREATIONAL LAND IN THE PARISH

(Reason for exclusion: Relates to contractual arrangements between the Parish Council and the contractor).

Meller Speakman had now sourced all the addresses of the sites identified. An initial appraisal of the new site identified had been carried out. Letters to landowners had been issued.

It was expected that the Parish Council would be provided with an update at its meeting to be held on 5 May 2021.

448 SHAVINGTON PHASE II - RESIDENTS LIASON GROUP

(Reason for exclusion: The meetings of the group were private)

The Parish Council received the Minutes of a meeting held on 17 March 2021.

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