

# **Delamere & Oakmere Parish Council Annual Meeting**

## **MINUTES OF THE ANNUAL MEETING OF DELAMERE AND OAKMERE PARISH COUNCIL HELD ON THURSDAY 6<sup>TH</sup> MAY 2021 AT 7PM**

Present: Councillors A Bell, A Walsh, J Edwards, A Gore and Councillor F Goodier.

Also, present Clerk, Mrs J Monks and Cheshire West and Chester Ward Councillor J Leather.

### **1 Election of Chairman**

**RESOLVED** that;

Councillor D Rutter is the Chairman of the Parish Council.

### **2 Election of Vice-Chairman**

Councillor A Bell is appointed Vice-Chairman of the Parish Council.

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Present: Councillors A Bell, A Walsh, J Edwards, A Gore and Councillor F Goodier.

Also, present Clerk, Mrs J Monks

### **1 Welcome and apologies for absence**

Councillor A Bell welcomed everyone to the Parish Council meeting. Councillor D Rutter, Councillor D Wheeler and Cheshire West and Chester Ward Councillor H Tonge sent their apologies for the meeting.

### **2 Member's Code of Conduct and declarations of interest**

Councillor A Bell declared a interest in relation to item 10, the lamp post poppies as he was a member of the Royal British Legion and Councillor F Goodier declared an interest as her husband was the Secretary of the Local Royal British Legion.

### **3 Code of Conduct**

**RESOLVED** that;

Delamere and Oakmere Parish Council confirms the Code of Conduct for Members adopted by Cheshire West and Chester Council on 26 July 2012 as the council's code of conduct under section 27(2) and 27(3) of the Localism Act 2011.

### **4 Declaration of interest forms**

Each Parish Councillor had reviewed their declaration of interest forms and new forms were completed where necessary. The clerk asked each Parish Councillor to complete a new form if and when any circumstances change.

### **5 Public Speaking Time**

Councillor A Bell spoke as a member of the public asking for the Parish Council to support the poppy appeal.

### **6 Minutes of the last Parish Council meeting**

**RESOLVED** that;

The minutes of the Parish Council meeting of Delamere and Oakmere Parish Council on Monday 19th April 2021 be approved as a correct record.

**RESOLVED** that;

The minutes of the Annual Parish meeting of Delamere and Oakmere Parish Council on Monday 19th April 2021 be approved as a correct record.

## **7 Progress Reports and Outstanding Items**

The clerk confirmed that she had informed Cheshire Association of Local Councils that the Parish Council will not be renewing the membership for 2021/2022. The Chief Officer had emailed the clerk with the details of the benefits of membership and has offered to attend a Parish Council meeting if the Parish Council wanted to discuss.

The clerk received notification from Forestry England that the parkrun will not be moving to Spiv Road at this time. The objection letter as agreed at the Parish Council meeting on 19<sup>th</sup> April 2021 was not sent as they have changed their plans.

The clerk drafted an article for the next edition of Delamere and Oakmere news, however Councillor A Gore wanted further information to be included as such the clerk was asked not to send this to the editor of the newsletter for publication.

The clerk confirmed that she had received an acknowledgement email dated 29<sup>th</sup> April 2021 from the Site Manager of Delamere Go Ape. They have confirmed that they have forwarded the letter from the Parish Council to Go Ape Headquarters who will respond directly on this matter. Councillor F Goodier also confirmed that this has been raised with Forestry England.

## **8 Correspondence**

The clerk reported that she had received notification that Forestry England had applied for an alcohol and music licence for Forest Live. Councillor F Goodier has discussed this matter with Forestry England and they stated that this was four live events only over one weekend per year in order to stagger finishing times. The clerk was asked to contact the Licencing Dept of Cheshire West and Chester Council stating that the Parish Council had no objection if this was four events only over one weekend per year. The Parish Council request this to be a condition of granting the music and alcohol licence.

## **9 Planning**

To consider the Parish Council's response to planning applications received up to Thursday 6<sup>th</sup> May 2021. The following planning application have been received to date, other applications may be considered if received before Thursday 6<sup>th</sup> May 2021.

The Parish Council considered all of the planning applications that had been received up to 6<sup>th</sup> May 2021.

**RESOLVED** that;

- (a) No objections were made to 21/01260/FUL, Conversion of existing outbuilding to dwelling including porch extension, Dairy House Farm Chester Road Oakmere.
- (b) No objections were made to 21/01340/FUL, Single storey side extension, 7 Watling Drive Delamere.
- (c) No objections were made to 21/01409/PDQ, Conversion of agricultural barn to dwelling house under Permitted Development (Class Q), Hollinsclough Forest Road Oakmere.

## **10 Lamp post Poppies from Royal British Legion**

The clerk has received an email dated 16<sup>th</sup> April 2021 from the Community Fundraiser of the British Legion regarding lamp post poppies at the suggested donation of £5 each. The clerk had contact Cheshire West and Chester Council requesting permission to put the poppies onto the lamp posts. They confirmed as long as they are installed with plastic ties that don't damage the column or cause any obstruction to pedestrians or traffic and removed once the event has passed, they have no objections.

**RESOLVED** that;

The Parish Council purchase twenty lamp post poppies at the cost of £5.00 each. Councillor F Goodier will post a notice onto Facebook to see if residents may wish to purchase one.

## **11 Delamere Forest**

The clerk had arranged a meeting for 1pm on Friday 30<sup>th</sup> April to discuss issues with Forestry England representative. Parish Council representatives had attended this meeting however were disappointed by the responses received. Forestry England had no extra resources for additional litter bins and confirmed that there would be an increase in commercial activity for the site.

**RESOLVED** that;

The clerk was requested to draft letters to Forestry England and to the café regarding litter picking around the area as it was part of the planning condition for the site.

## **12 Parking on Stoneyford Lane**

The clerk had contacted the Highways Department again with regards to the installation of double yellow lines on Stoneyford Lane. The Highways Department of Cheshire West and Chester Council confirmed that the Highways Department would not support the proposal for double yellow lines on Stoneyford Lane. If the Parish Council wanted to go ahead the Parish Council would have to fund the total costs of the scheme and accept that any enforcement would be minimal.

**RESOLVED** that;

The Parish Council would not fund the installation of double yellow lines on Stoneyford Lane as the funding was not feasible and if they were installed the monitoring and enforcement would be minimal.

The clerk was asked to inform the residents accordingly.

**13 Speed Limit reduction for Laurus Homes Estate**

The clerk had received an email from a resident of the Laurus Homes/Earlsbrook estate requesting that that Parish Council submit a request to the Highways Department of Cheshire West and Chester Council for a reduction in the speed limit from 30mph to 20mph.

**RESOLVED** that;

The clerk was asked to contact Lane End site developers asking them to make a financial contribution towards the reduction in the speed limit.

**14 Funding from Lane End**

**RESOLVED** that;

The clerk was asked to contact Lane End requesting £500 towards the Frith Avenue project.

**15 Little Wood/Bowyers Waste**

The clerk has received an acknowledgement email dated 28<sup>th</sup> April 2021 from the Parks and Open Space Commissioner at Cheshire West and Chester Council regarding the upkeep and maintenance of Little Wood/Bowyers Waste and they have confirmed that this has been referred to the Legal Team for comment.

Councillor A Gore confirmed that Little Wood was in a bad condition. Councillor D Rutter had met the owner of Fourways Quarry onsite to discuss and is in the process of contacting United Utilities regarding the flooding.

**RESOLVED** that;

The Parish Council awaits a decision from the Legal Team of Cheshire West and Chester Council on this matter.

**16 Pale Heights Information boards**

The clerk had obtained one further quote however other firms would not provide a quote until the artwork has been provided. As such it would be better to ask for quotes when this has been done. Also, clarification is required regarding whether the information boards were to be in wood, aluminium or plastic.

The clerk contacted the Planning Department of Cheshire West and Chester Council regarding planning permission. They have confirmed that the land does not need to be under the ownership of the Parish Council. If the proposed boards are to be illuminated or exceeds 1.55 square meters in area the Parish Council does need planning permission. Permission is allowed under part 12 of the general permitted development order (works you can do that are permitted without the need for planning permission).

**RESOLVED** that;

The clerk was asked to contact United Utilities asking them to fund the information boards.

## 17 Finance

The clerk reported that the current bank balances were as follows and bank statements showing these amounts were presented and signed by the Chairman.

Bank account balance is £27,194.47 as at 30<sup>th</sup> April 2021.

No unpaid cheques £144.00. Income is £1,068.18 VAT refund for 2020/2021 financial year and £10,010 precept.

Earmarked funds as follows; £2,000 for Frith Avenue project, resolved to spend in November 2019 minutes. £1,500 for speed limit reduction for Chester Road Delamere, resolved to spend in March 2021 minutes.

**RESOLVED** that;

the following payments be authorised;

Payment	Payee	Particulars of payment	Amount
Standing Order 21 <sup>st</sup>	Clerk	Salary for May	£386.96
Standing Order 21 <sup>st</sup>	Cheshire Pension Fund	Employers & employees' contribution for May	£143.86
001123	Clerk	Expenses for May	£41.76
001124	Clerk	Reimbursement for webhosting charge	£75.00
001125	Clerk	Purchase of mouse	£7.88
001126	Cheshire West and Chester Council	Payment for dog bins at Eddisbury Borehole	£436.80

The clerk reported that the charge for emptying the dog bins was £364.00 plus £72.80 VAT bringing the total to £436.80. Cheshire West and Chester Council have not in previous years charged VAT. The clerk would however claim the £72.80 back of HMRC via the VAT126 form.

## **18 Standing Orders and Financial Regulations**

The clerk had circulated the current standing orders for the attention of all the Parish Councillors.

**RESOLVED** that;

The Parish Council confirms the existing standing orders.

The clerk had circulated the current financial regulations for the attention of all the Parish Councillors.

**RESOLVED** that;

The Parish Council confirms the current Financial Regulations.

## **19 Annual review of Internal Financial Controls**

The Parish Council has undertaken a review of the internal financial controls.

**RESOLVED** that;

The present arrangements for financial controls as detailed below are acceptable;

- a) Cheques are raised in accordance with the financial report which is circulated with the agenda prior to each Parish Council meeting by the clerk.
- b) The financial report is approved at each Parish Council meeting and then cheques are signed at each Parish Council meeting by two authorised signatories.
- c) The Chairman at each Parish Council meeting reconciles the bank balance on the financial report with the bank statement and signs and dates each.
- d) The financial statement which includes the bank balance and the cheques for payment for that month is entered into the minutes accordingly.
- e) If any item of expenditure had been already approved a cheque can be issued, if necessary in-between Parish Council meeting dates and added on the following month's financial report.

## **20 Risk Assessments**

### **Risk Assessment**

The clerk had undertaken a Risk Assessment review for the Parish Council.

**RESOLVED** that;

That the Risk assessment was accepted by the Parish Council.

## **21 Publication scheme, complaints procedure and Social Media Policy**

**RESOLVED** that;

- (a) The publication scheme has been reviewed and confirmed for the Parish Council.
- (b) A complaints procedure has been reviewed and confirmed for the Parish Council
- (c) The Social Media policy has been reviewed and confirmed for the Parish Council.

## **22 Data Protection**

**RESOLVED** that;

- (a) The data protection policy has been reviewed and confirmed for the Parish Council.
- (b) The privacy notice has been reviewed and confirmed for the Parish Council.
- (c) The data protection audit policy has been reviewed and confirmed for the Parish Council.

## **23 Project Gigabit –BDUK launch new broadband connectivity voucher scheme by Cheshire West and Chester Council**

Councillor J Edwards confirmed that the Parish did not qualify for a voucher.

## **24 Fibre Broadband**

The clerk had received a complaint from a resident regarding the lack of fibre broadband and issues going online and with speed. Some Parish Councillors also had issues.

**RESOLVED** that;

The clerk was requested to contact BT regarding the matter.

## **25 Future meetings**

Following the expiry of the virtual meeting legislation on 7<sup>th</sup> May and the High Court decision, the Parish Council could no longer hold virtual meetings online.

Concerns were expressed regarding Health & Safety issues as not everyone had been fully vaccinated and the risk of Covid was still present.



**RESOLVED** that;

The following temporary scheme of delegation was put in place to delegate authority to the clerk. Informal meetings will continue monthly virtually and recommendations made to the clerk. At the next face to face meeting of the Parish Council the temporary scheme of delegation will end, and all the recommendations will be ratified and confirmed by the Parish Council.

### **Temporary Scheme of Delegation**

Section 101 of the Local Government Act 1972 provides:

1. That a Council may delegate its powers (except those incapable of delegation) to a committee or an officer.
2. A Committee may delegate its powers to an officer.
3. Any delegation to a Committee or the Proper Officer shall be exercised in compliance with the Council's Standing Orders, any other policies or conditions imposed by the Council and within the law.
4. The Proper Officer may nominate another named Officer to carry out any powers and duties, which have been, delegated to that Officer.
5. In an emergency the Proper Officer is empowered to carry out any function of the Council
6. Where officers are contemplating any action under delegated powers, which is likely to have a significant impact in a particular area, they should also consult the Members, and must ensure that they obtain appropriate legal, financial, and other specialist advice before action is taken.
6. As a temporary measure, to allow for effective decision making whilst Covid-19 restrictions and considerations are in place, the Proper Officer is empowered to take all decisions recommend to them by the Parish Council.
7. This empowerment does not affect the delegations already in place via Standing Orders or Financial regulations.
8. The Proper Officer may not take additional decisions that would normally be taken by the Parish Council unless that Parish Council has met in a meeting suitably convened under the requirements of the Local Government Act 1972, and made available to the public to view (where not covered by confidentiality) and expressly agreed for that decision to be enacted via this temporary delegation.
9. The following items are reserved for Full Council decision only and cannot be delegated to an Officer.
  - To appoint the Chairman and Vice-Chairman in May each year
  - To sign off the Governance Statement by 30 June each year
  - To set the Precept
  - To appoint the Head of Paid Service (Clerk)
  - To make byelaws
  - To borrow money
  - To consider any matter required by law to be considered by Council.

**26 Update from Cheshire West and Chester Councillors**

No Cheshire West and Chester Ward Councillors were present.

**27 Councillor’s report and future agenda items**

Councillor A Bell confirmed that he had met with a representative from Mid-Cheshire Railway Association to discuss ongoing issues with Delamere Station. Councillor A Bell will continue to liaise with them on issues along with Network Rail.

**28 Date and time of next meeting**

The next meeting is Monday 14<sup>th</sup> June 2021 at 7pm.

Chairman’s signature.....Dated.....

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Minutes of the monthly Parish meeting of Delamere and Oakmere Parish Council held on Thursday 6<sup>th</sup> May 2021.