

SOUND & DISTRICT PARISH COUNCIL
Minutes of Virtual Meeting of the above Council
held on Tuesday 16th June 2020, 7.30 p.m.

Present: D. Tomlinson (Chairman), A.G. Lawrence (Clerk), Mrs E. Hollinshead, Mrs JR Park, R. Blackburn, M. Hartland, Ms N. Watson, Ms. H. Paterson, Clr. RA Bailey

1. **Apologies:** none
2. **Declaration of Interest** – if a member is present at a meeting of the authority, and they have a disclosable pecuniary in any matter to be considered or being considered at the meeting, they cannot take part in any discussion of the matter at the meeting or vote on it. They should disclose the interest to the meeting and follow the Council's Code of Conduct.
3. **Minutes** of last Parish Council Meeting held on 25th February 2020 were unanimously confirmed as a true and correct record on the prop., of Mrs JR Park, sec., R. Blackburn.
4. **Matters arising** from last minutes:- none
5. **Highways :-**
 - a. Potholes by Oak Coppice have been reported by Clerk
6. **Correspondence:** Noted to members for their inspection and interest as follows:-
 - a. **Cheshire East** –
 1. STRATEGIC PLANNING UPDATE - JANUARY 2020
<file:///C:/Users/Nantwich%20Show/Downloads/Strategic%20Planning%20Update%20January%202020.pdf>
JUNE 2020
<file:///C:/Users/NANTWI~1/AppData/Local/Temp/Strategic%20Planning%20Update%20June%202020.pdf>
 2. Consultation - housing strategy - <https://surveys.cheshireeast.gov.uk/s/NU7O83/>
 - b. **Councillors** - none
 - c. **Parishioners** - M. Hartland reported there had been correspondence from Mr Green re loss of phone and internet following an accident on the A530, for some considerable time. The meeting felt there was little they could do now this has been repaired but if the situation arose again they would try to help. It was suggested by Clr. RA Bailey that E. Timpson MP be contacted in such a situation.
 - d. **Other**
 - i. CHALC Enewsletter
 - ii. Clerks & Councils Direct
 - iii. Glasdon Local Councils product guide
7. **Accounts**
 - I. **Income since last meeting:-**

1.	Cheshire East Precept – 1 st Instalment	£2000.00
2.	Grant re Street Clean	£47.16
3.	VAT – Clerk reported that the claim for 2019 is being processed	
 - II. **Accounts paid since last meeting:-**
NEIGHBOURHOOD PLAN

1.	Chq. No 500063 Purchase Order No. Polybags Ltd	£45.58
2.	Chq. No 500064 Purchase Order No. Broomhall & Sound Methodist Church – Room Hire	£105.00
3.	Chq. No 500066 Purchase Order No. Groundwork UK – repayment of balance of unspent grant funding	£5666.92

These payments were confirmed and approved on the prop., Mrs E. Hollinshead,

sec., Mrs JR Park.

III. Accounts to pay at this meeting

1.	Chq No 500067	Purchase Order No.	
	BHIB Councils Insurance		£298.01
2.	Chq No		
	A.G. Lawrence – Clerk Salary – Jan – March 2020		£
	Unable to pay as Lady who undertakes PAYE not in work due to Covid19		
	Await her return		
3.	Chq No		
	HMRC – Jan – March 2020		£
	Unable to pay as Lady who undertakes PAYE not in work due to Covid19		
	Await her return		
4.	Chq No 500068	Purchase Order No.	
	A.G. Lawrence – Clerk Expenses – Jan – March 2020		£59.92
5.	Chq. No 500069	Purchase Order No.	
	JDH Business Services Ltd – Internal Audit		£194.28 (VAT £32.38)
6.	Chq. No 500070	Purchase Order No.	
	Rocketmedia – Website Hosting and administration		£300
7.	Chq. No 500071	Purchase Order No.	
	CHALC Membership		£302.76

The above accounts were unanimously approved for payment on the prop., of M. Hartland, sec., Mrs JR Park.

IV. Annual Audit ;-

- Display Notice of Audit
- Exercise of Public Rights from 15th June – 24th July 2020
- Exemption Certificate to be returned by 31st July 2020. On the prop., D. Tomlinson, sec., M. Hartland.

it was unanimously agreed that Sound & District Parish Council would submit, as a smaller authority, an Exemption Certificate to PKF Littlejohn, London

- a. Annual Governance Statement** was unanimously approved by the Parish Council on the prop., D. Tomlinson, sec., Mrs E. Hollinshead.

- b. Statement of A/C's** year ending 31st March 2020 was issued by the R.F.O. as follows:-

Parish Council Income for year	3776.91
Along with balance brought forward	<u>895.78</u>
Gave a total available of	4672.69
Total expenses have been	3007.01
Leaving a balance to carry forward of	<u>£1665.68</u>
Neighbourhood Plan Income	7235.00
Neighbourhood Plan Expenses	7235.00
Leaving a balance to carry forward of	<u>£0.00</u>

Leaving total funds to carry forward of £1665.68

The Parish Council were advised of the explanation of variances which were unanimously accepted on the prop., of R. Blackburn, sec., D. Tomlinson.

With all details of income and expenditure as listed in the Account Book. The Accounts were formally adopted on the prop., of D. Tomlinson, sec., Ms N. Watson, and unanimously agreed,

On the prop., R. Blackburn, sec., Ms N. Watson, and unanimously agreed, the Clerk/RFO and the Chairman signed, as follows:-

The Annual Return:-

- i. The Annual Governance Statement
- ii. The Accounting Statements 2019/20
- iii. The completed Annual Account Book

V. **Internal Audit** this has been undertaken by JDH with the following comments:-

On the basis of the internal audit work carried out, which was limited to the tests indicated in the Audit Report, in our view the council's system of internal controls is in place, adequate for the purpose intended and effective, subject to the recommendations reported in the action plan.

II.

As part of the internal audit work for the next financial year we will follow up all recommendations included in the action plan.

1	ISSUE
	<p>The updated model Financial Regulations refer in section 10.) to a Purchase Order (PO) system (which would also clearly evidence the authority to spend). However, no PO system is currently in place.</p> <p>Section 4.) of the Financial Regulations (FRs) for Authority to Spend require a Chair and the Clerk to certify expenditure up to £500 and a duly delegated committee of the council for items over £500 and the council for items over £5000. However, it is not clear from our internal audit sample testing that the Authority to Spend requirements of the model Financial Regulations are applied to all expenditure.</p>
	RECOMMENDATION
	<p>If the Purchase Order section of the FRs is an accepted requirement by council, then the council should establish a sequential Purchase Order system as required by the updated model Financial Regulations and ensure Purchase Orders for expenditure up to £500 are signed by a Chair and clerk, and POs for expenditure in excess of £500 include the minute reference on the PO evidencing the committee/council authority to spend.</p> <p>The council should review the updated NALC model FRs and determine which sections are appropriate to the scope and activity of the council.</p>
	RESPONSE
	<p>An Official Order book has been obtained and an order will be issued for all items works, goods and services. Expenditure up to £500 will be signed by the Chairman and Clerk, above £500 will also include a Minute Reference</p>
2	ISSUE
	<p>The 2018/19 internal audit report or AGAR internal audit certificate were not published on the website as required by the Transparency Code.</p>
	RECOMMENDATION
	<p>All the information required by the Transparency Code should be published on the website for each financial year</p>
	RESPONSE

VI. Appoint Regulatory Financial Officer – the Clerk was unanimously re-elected on the prop., of D. Tomlinson, sec., M. Hartland.

VII. Confirmation of:-

- i. Financial Regulations – NALC – Model Financial Regulations (England)
Was unanimously reconfirmed on the prop., of R. Blackburn, sec., D. Tomlinson.
- ii. Risk Assessment
Was unanimously reconfirmed on the prop., of R. Blackburn, sec., D. Tomlinson.
- iii. Parish Council Internal Financial Audit
The Meeting on the prop., of R. Blackburn, sec., D. Tomlinson unanimously confirmed their Internal Audit requirements were adequately covered within their Financial Regulations and their Risk Assessment which are currently in place, and as approved in item 8/VII/i/ii as above
- iv. Clerks Contract of Employment
Was unanimously reconfirmed on the prop., of R. Blackburn, sec., D. Tomlinson.
- v. Standing Orders
Was unanimously reconfirmed on the prop., of R. Blackburn, sec., D. Tomlinson.
- vi. Transparency Code
Was unanimously reconfirmed on the prop., of R. Blackburn, sec., D. Tomlinson.
- vii. GDPR Policy/Privacy Statement
Was unanimously reconfirmed on the prop., of R. Blackburn, sec., D. Tomlinson.

8. Planning Applications:

I. Applications received since last meeting:-

a.

Application No: **20/1022N**
Proposal: **Alterations and extensions**
Location: **Dairy House Farm, SOUND LANE, SOUND, CW5 8BE**
National Grid Ref: **361991 348272**

No Representation

b.

Application No: **20/1693N**
Proposal: **Variation of Condition 4 on P08/0372 - 3 Units Comprising 2 Stables & 1 Hay Store (to be built in same style as stable) Single Storey Throughout**
Location: **Oak Tree Paddocks, SPRINGE LANE, BADDILEY, CW5 8NP**
National Grid Ref: **361306 352316**

No Representation

c.

Application No: **20/1718N**

Proposal: **Application for change of use of a former agricultural building with B8 to a mixed business / industrial use along with use of the associated hard standing yard areas and new proposed development of a side extension to the existing barn.**

Location: **OAK BANK BARN, HEATLEY LANE, BROOMHALL, CHESHIRE, CW5 8AH**

National Grid Ref: **362823.6 347969.2**

Due to Covid19 issues this matter was discussed via emails and on the prop., M. Hartland, sec., Mrs E. Hollinshead the following comments were submitted:-

Comments on Oak Bank Barn planning application 20/1718N

Sound & District Parish Council have no objection to developments to aid local economy, increase employment and improve farm buildings where appropriate.

The Parish Council do strongly object to be presented with a "fait accompli" as all the development has been done and is in use, and there is a veiled threat that Amberon could move with the loss of 43 jobs if the application is not approved. The Parish Council support developments that create and encourage job creation but it should be done with the inclusion of the local community. Here there is a long history of retrospective applications from this site. We hope that any future developments will include CE planning, the parish council and local community before they are started so that all views can be heard.

Comments on the Application Form

1. Item 5 states that the development was started and completed on the same date 1/9/2008. We know that the road access and extended hard standing did not exist in 2008 as it is not shown on the plan AR09/1 submitted in the application 09/1743N and included in the decision notice from CE dated 11th Sept 2009
2. Item 8. On the question "is a new vehicular access proposed to or from a public highway" the applicant has answered no. I believe this to be incorrect.
3. Item 9 Vehicle parking. Again, the answer is no but with such an increase in the number of people employed and no public transport to the site is this answer correct?
4. Item 11 disposal of surface water is not completed. I assume Amberon will be washing down their vehicles and equipment at some stage
5. Item 12 biodiversity. Although all questions are answered no it is impossible to know as the application is retrospective.
6. Item 13 Foul sewage. The answer given is "unknown". Employing 42 people on site means that this needs to be answered. It can be seen from the plans that there are 2 kitchens and 4 toilets in the main building.
7. Item 14 waste storage and collection. All answered "no". Again with 42 employees there has to be a system of waste collection
8. Item 19 hours of opening. Hours are shown but the access is required 24/7 and I believe Amberon are available 24/7.
9. Item 23. It says pre application advice has been sought but gives no details.

Comments on the Supporting Planning Statement by Civitas

Section 3 planning history and application 09/1743N

1 The location plan AR09/1 on the application 09/1743N in 2009 is different to the current location plan on 20/1718N. Plan AR09/1 shows that the roadway to the A530 did not exist in 2009 and the amount of hardstanding is much less. Construction of the roadway and pond started in 2009 and a complaint was raised about it in 2009 with CE planning by the local resident's association SADRA. The roadway must have been completed by 2014 as it is shown on the map with application 14/2017N made in 2014 for a new access and hard standing to provide five touring caravan sites on the site. This application was changed and to quote from officers report "The application originally proposed the rebuilding/ conversion of a barn to holiday accommodation, a caravan site, works to the access and a proposed garage and store block. It should be noted that due to concerns raised by officers over the nature of the works carried out to the barn which appeared to be new build rather than conversion, together with the layout of the caravan park and access works, these elements are omitted from this application. The application only now covers the proposed new garages and store which are in part retrospective."

The application 14.2017N states that the work was started on 1/8/2013.

The Parish Council believe that the roadway and access is an unauthorised development.

2. Paragraph 3.7 states that the A530 access has been in operation for at least 22 years. Most of that time it was a field gate. Access as a security gated, lighted at night available for use 24/7 gate has only been since 2019.

3. The application states that Amberon TM have been operating from the site for 5 years. It seems incredulous and improper that a national company would rent a commercial property that did not have all the necessary planning permissions in place.

The Amberon signs and the Oak Bank Business Park signage on the A530 only appeared in mid-2019, prior to that there was only a sign on the field gates saying "these gates to be kept closed at all times" which is still there.

Therefore, the Parish Council dispute that the A530 access has been in use for 5 years or alternatively its use was deliberately kept quiet so that no complaints would be raised.

4. In approving application 09/1743N there were a number of conditions attached to the approval by CE planning. It would appear that the majority of these have just been ignored by the applicant which gives very little assurance to local residents and little confidence in the planning system.

Highway considerations

1 The new access onto the A530 gives rise to serious road safety concerns. From Sound School entrance and layby to the junctions of Wrenbury Heath Road and Heatley Lane is 220metres. The new 24/7 access onto the A530 is close to the middle of that 220-metre section. From the recent surveys of local residents in Sound and Broomhall conducted for the Neighbourhood Plan, Road Safety on the A530 is shown to be a major concern. We note the report from Bob Hindhaugh but maintain that any new access onto a main A road must by its very existence increase the road safety concerns. There is no runoff onto the access gate and any vehicle must execute a 90degree turn off the A530 to turn into the access. Park View Business Centre near Combermere has ample run off from the A530. Here there is none.

2 Dark skies and reducing light pollution is highlighted in the survey and is another concern of local residents highlighted in the survey. The bright access light now installed at the access gate and on all night goes against this. The light at night is also a distraction when driving from Nantwich into Broomhall and suddenly comes into view at the 40mph sign. Driving from the Whitchurch direction the light is hidden by the large oak trees at the top of Heatley Lane. Vehicle headlights will more than illuminate the gates for access and if it is for security then how does that work. Is there CCTV there also. Not mentioned in the application. THE Parish Council think that a motion activated light would be even more of a distraction to drivers on the A530 (suddenly appearing) unless it was very low and directed so not to be visible from the main road.

Visual Aspects

The site is visible from the A530. The application proposes carparking and outside storage in an area of hardstanding A but it is not clear how much will be seen from the road. Any outside storage will have a negative impact on the open views enjoyed in the locality. It is suggested that it will not be dissimilar to agricultural storage but HGVs and cars parked and high visibility traffic cones and equipment stored in racks are very different to bags of fertiliser.

Residential Amenity

The presence of the local School is not mentioned in the application and if there would be any affect on the school with the increase of traffic.

New Proposed Development– small extension to main barn

The Parish Council object to this proposal as there is no need for more office space or storage. Looking at the plans of the building there are already many offices and the building could be refigured internally to give storage, and believe the real reason for this proposal is that it is to restrict access around the site meaning that HGV traffic is forced to use the A530 access and road.

Access via Mickley Hall Lane entrance.

The current access road to the site from Mickley Hall Lane appears to be quite secure and we would have thought public access to the site (a concern quoted by Amberon) would be much easier and more obviously accessible than from the A530. The total vehicle movements quoted, to the site amount to 178 per day. Seeing that vehicles going past that access on the A530 can be **200 per hour** and the annual average daily flow on the A530 in 2018 was **6301** vehicles (Dept of Transport Road traffic statistic) we would have thought that access via Mickley Hall Lane is the much safer option.

d.

Application No:	20/1696N
Proposal:	Variation of condition 3 on application P07/0510 Gated field access and change of use of land for non-commercial equestrian use.
Location:	Oak Tree Paddocks, SPRINGE LANE, BADDILEY, CW5 8NP
National Grid Ref:	361264 352360

No Representation

e.

Application No: **20/1791N**
Proposal: **Retrospective application for four static caravan pitches on existing site and extension to existing site to provide 12 additional touring pitches (change of use from equestrian)**
Location: **The Willows Caravan Site, COOLE LANE, AUSTERSON**
National Grid Ref: **365578 349997**

No Representation

f.

Application No: **20/1928N**
Proposal: **Steel portal frame agricultural building to cover 1 existing holding yard**
Location: **Bridge Farm, SOUND LANE, SOUND, CW5 8BE**
National Grid Ref: **361933 349025**

No Representation

And as 8/III below

II. Results of previous applications:-

a.
19/5544N
ROSE COTTAGE, COOLE LANE, COOLE PILATE, CHESHIRE, CW5 8AU
Proposed side and rear single-storey extension
approved with conditions
b.
19/5482N
Smithy Lodge, HEATLEY LANE, BROOMHALL, CW5 8BA
Single storey rear extension (Renewal of Approved 16/4987N)
approved with conditions
c.
19/5261N
Baddington Park, BADDINGTON LANE, BADDINGTON, CW5 8AF
Extension to existing Gypsy and Traveller site to provide 6 No. additional Gypsy Traveller pitches comprising 6 no. mobile homes, 6 no. touring caravans, 6 No. semi-detached utility blocks and associated works including allocation for parking and hardstanding.
approved with conditions
d.
20/0309D
Hill Farm, WHITCHURCH ROAD, BROOMHALL, CW5 8BZ

Discharge of condition 5 on approved application 18/5095N -
Change of use of part of site to industrial use (Class B2) and part of yard to
storage and distribution (Class B8) in retrospect, and alterations
to vehicular access
approved
e.
20/0497N
Land on the West Side of, COOLE LANE, AUSTERSON
The proposal of the application is to change the use of the site (currently
unused) to a general storage and maintenance premises for an established
(30yr) local groundwork/landscape contractor and modify and improve the
existing soft and hard landscaping to accommodate this change of use
and improve security
approved with conditions

III. Applications/Matters before this meeting:-

a.

Application No: **20/1937N**

Proposal: **Change of use of land to include a cattery business, to include the erection of a 10 bay cattery.**

Location: **HILL COTTAGE, WHITCHURCH ROAD, BROOMHALL, CW5 8BZ**

National Grid Ref: **362137 347196**

On the prop., R. Blackburn, sec., Mrs JR Park, it was unanimously agreed to support the application.

IV. **Neighbourhood Plan:** Mrs E. Hollinshead reported that the application for funding for the forthcoming year has been submitted and is just waiting for the return of the surplus balance, as approved above, to be returned.

V. **Procurement Housing Development Framework:** Cllr Bailey advised:-

- Cheshire East Council would/could by this document use any land Council owned land surplus to requirement for housing development.
- Neighbourhood Plans – there is no confirmation that these would be material to the decision making
- There is no evidence of any such land in Sound & District, other than Council owned Farms, but awaiting confirmation of all Council owned land in Audlem Ward to be provided by Cheshire East
- Grave concern has been expressed through Cheshire East over this document and as such, whilst the decision has been made, the detail be will reviewed again
- Section 106 payments could be transferred into a bigger pot of money for affordable housing in other areas, despite they were allocated to the locality where a development had occurred.

Cllr Bailey agreed to keep the Parish Council informed of developments.

8. **Sound Common report:** none

9. **Police Report:** ne meetings have been held.

10. **Next Meetings:**

- Parish Meetings

- Parish Council Annual Meeting

To be arranged in due course when Covid19 regulations become clearer for the holding of Meetings

Meeting closed.