

CHAPEL-EN-LE-FRITH PARISH COUNCIL



TOWN HALL
CHAPEL-EN-LE-FRITH
HIGH PEAK, DERBYSHIRE, SK23 0HP

Tel: 01298 813320
clerk@chapelpc.org
www.chapelpc.org



Office Hours: Monday-Friday 9.00 to 12.30

28 August 2019

Dear Councillor,

You are hereby summoned to attend an **ORDINARY MEETING** of the Parish Council to be held on **Tuesday 3 September 2019** at 7.30pm in the Annexe of the Town Hall, Chapel-en-le-Frith.

After prayers have been said and Apologies for absence have been given, the business to be transacted will be as follows: -

Presentation of prizes to allotment holders.

1. Declaration of Interests
2. Co-option vote for Dove Holes and Martinside vacant seat
3. Co-option process Chapel East Ward vacant seat
4. Police Matters
5. Open Forum
6. M.P. County Councillors, Borough Councillors
7. Matters relating to Highways, Public Footpaths, Public Services, Conservation Areas and Parish Improvements
 - DCC depot at Barmoor Clough
 - Installation of temporary safety fencing on land off Sheffield Road, Chapel-en-le-Frith
8. To receive the Minutes of the Full Council Meeting held on 6 August 2019
9. To receive the Minutes of the Planning Committee held on 20 August 2019
10. To receive the Minutes of the Communications Committee held on 7 August 2019
11. To receive the Minutes of the Amenities Committee held on 19 August 2019
12. To receive the Minutes of the Health and Safety Committee held on 20 August 2019
13. To consider any matters arising from the above Minutes
14. Terms of Reference for Planning Committee and Amenities Committee

Clerk to the Council – Suzan E. Stockdale

15. Neighbourhood Plan and Community Plan
16. Economic Regeneration
17. Honorary Freeman
18. Future of the Kings Arms Public House
19. Outside Bodies
20. Town Hall, 47/49 Market Street, Chapel-en-le-Frith
 - Replacement office computer
21. DALC
22. Parks and Open Spaces
23. Allotment Sites
 - Report on meeting with the Courses Allotment Committee
24. Correspondence
 - High Peak Polling District and Polling Place Review
 - Regeneration Support Grant 2019/20
 - DCC Parish and Town Council Liaison Forum
 - CPRE Green Clean
 - Family Mile Event
 - 21 Freedom of Information requests received in August 2019
25. Schedule of Accounts presented for payment
26. Any Other Business (For discussion only)
27. Press Releases
25. Matters to be discussed after the exclusion of Public and Press

Yours sincerely,



Mrs SE Stockdale
Clerk to the Council

Voting in council on casual vacancies

6.15 A successful candidate must have received an absolute majority vote of those present and voting¹. It follows that if there are more than two candidates for one vacancy and no one of them at the first count receives a majority over the aggregate votes given to the rest, steps must be taken to strike off the candidate with the least number of votes and the remainder must then be put to the vote again; this process must, if necessary, be repeated until an absolute majority is obtained.

Declaration and undertaking 6.16

... will mostly be a satisfactory procedure, but if several candidates have obtained the same number of least votes and the aggregate of the others is less than a normal quorum (eg 3:2:2:2:2) it may be thought wise not to strike off the candidate with the least votes together but, if negotiations for withdrawals fail, to strike them off one by one in an order determined by vote.

If there is more than one vacancy and the number of candidates equals the number of vacancies, all the vacancies may be filled by a single composite declaration, but if the number of candidates exceeds the number of vacancies, the vacancies must be filled by a separate vote or series of votes.

The council is not obliged to consider the claims of candidates who were unsuccessful at a previous election.

¹ Local Government Act 1972, Sch 12, para 39.

Chapel-en-le-Frith Parish Council
Town Hall,
Market St,
Chapel-en-le-Frith,
High Peak
SK23 0HP

Telephone 01629 535444
Ask for Max Adams
Email Max.Adams@Derbyshire.gov.uk
Our ref PC-E-15-0010-01-03-01/1208MA
Your ref
Date 12 August 2019

Dear Madam/Sir

**Installation of Temporary Pedestrian Safety Fencing on 'Without Prejudice' basis
– Bridge over Black Brook to the rear of Chapel Tool Hire.**

Thank you for providing us a copy of the deeds for the Allotments that show your right of access over the structure in question. We intend to make further enquiries into the ownership of the structure.

It has been brought to our attention that a section of parapet is missing from the structure which poses a potential hazard to the public. Upon inspection, it is apparent that the remaining section of parapet is of insufficient height to provide a safe barrier for pedestrians. We have agreed the installation of temporary fencing with the proprietor of Chapel Tool Hire (who raised the concerns) to make the area safe.

Once the ownership of the structure is identified we intend to pursue them to undertake a permanent solution.

We are undertaking this work on a 'Without Prejudice' basis and Derbyshire County Council are not accepting liability for this structure or the adjacent land.

Yours sincerely

Max Adams
Senior Technician
Network Planning
Structures Management
Economy, Transport and Environment

CHAPEL-EN-LE-FRITH PARISH COUNCIL

PLANNING COMMITTEE TERMS OF REFERENCE (DRAFT)

- 1.1 The Planning Committee shall consist of at least five members, appointed by Chapel-en-le-Frith Parish Council.
- 1.2 The Planning Committee shall elect its own Chairman and Vice-Chairman.
- 1.3 The Planning Committee shall have full delegated authority to discuss and debate all those planning applications seeking planning permission or approval to carry out developments at locations within the Parish of Chapel-en-le-Frith.
- 1.4 Members of the Planning Committee are expected to familiarise themselves with applications on the agenda prior to the meeting.
- 1.5 All decisions made by the Planning Committee shall be recorded by the Clerk or Assistant Clerk along with reasons for those decisions.
- 1.6 Any recommendations, along with the reasons for those decisions, shall be sent to High Peak Borough Council as soon as possible after the meeting of the Planning Committee.
- 1.7 Minutes shall be taken by the Clerk or Assistant Clerk at each meeting and the minutes shall be presented by the Chairman of the Planning Committee at the next available Full Council Meeting.
- 1.8 Any decisions or recommendations made by the Planning Committee will not be amended unless additional information is submitted that is relevant to the original application.
- 1.9 The agenda for each Planning Committee and a list of applications shall be posted on the council's notice board, website and Facebook page.
- 1.10 The decisions for planning applications made by the Planning Committee shall be posted on the Council's website and Facebook page before the full minutes are ratified at the Full Council meeting.

AT EACH MEETING, THE PLANNING COMMITTEE SHALL:

- 2.1 Receive notification of permissions and refusals made by the High Peak Borough Council in response to applications for planning consent.
- 2.2 Receive notification of any appeal made in response to a refusal of a planning application.
- 2.3 The Planning Committee may decide to apply to be represented at any appeal hearing.
- 2.4 Consider any examples of planning non-compliance and may wish to request the attendance at a future meeting of the Planning Committee of an officer of High Peak Borough Council to respond to examples of non-compliance that the Planning Committee has reported.
- 2.5 Consider correspondence relating to planning matters.

PUBLIC ATTENDANCE

- 3.1 Any member of the public can attend any Planning Committee meeting and is allowed to speak, for a period up to three minutes, either for or against any application that is about to be considered by the Planning Committee.

ATTENDANCE BY COUNCILLORS WHO ARE NOT MEMBERS OF THE PLANNING COMMITTEE

4.1 'The agenda for each planning meeting will be distributed to all members of the Council, allowing Councillors who are not members of the Planning Committee to choose to attend Planning Meetings in order to speak, for a period up to three minutes, either for or against any application that is considered by the Planning Committee, particularly those that may be contentious.'

Terms of Reference

Amenities Committee

The Amenities Committee is committed to the sensitive and careful management, maintenance and improvement of the parks and open spaces in the Parish and to conserve the environmental heritage for the benefit of future generations.

It gives careful consideration to the strategic plans for the parks and open spaces, owned and managed by the Parish Council and will discharge its role to operate within a budget and be financially accountable.

Delegation

1. Chapel-en-le-Frith Parish Council has agreed to adopt the Amenities Committee Terms of Reference at its meeting held on **XXXXXXXXXXXX** and has recorded the decision under minute number **XXXXXX**
2. Chapel-en-le-Frith Parish Council will consider reviewing the Terms of reference annually.
3. The Council has delegated powers to the Amenities Committee to spend within the agreed budget heads. There is no provision delegated for virement between budget heads as that has to be agreed by the Full Council.
4. Any decisions made by the Amenities Committee cannot be implemented until they have been ratified by the Full Council.

Procedures

1. The Amenities Committee will operate within Chapel-en-le-Frith Parish Councils Standing Orders.
2. At the first meeting of the committee after the Annual Meeting of the Council, it shall elect a Chairman and Vice Chairman for 12 months.
3. The Amenities Committee will submit its minutes of meetings, including decisions for ratification and adoption at the next Ordinary Meeting of the Council.
4. The Amenities Committee will submit a draft budget and/or project considerations for the forthcoming financial year for inclusion in the budget setting process, to the Finance Committee.

Meetings

1. The Amenities Committee will aim to meet six times in the municipal year.
2. Six Councillors will be members of the Committee. The quorum shall be three Councillors.
3. There will be an agenda item allowing the public to speak at the start of each meeting.

Terms of Reference

The functions of the Committee will be:

1. To oversee the management of all Parks and Open spaces owned and/or managed by the Council.
2. To consider a rolling programme of improvement and refurbishment of play equipment and to ensure that safety inspections are carried out monthly, with any concerns being actioned.
3. To oversee the operation of the ground maintenance, including the purchase of equipment.
4. To receive reports of Health and Safety inspections.
5. To oversee allotment provision in the Parish and undertake an annual inspection of allotment sites.
6. Consider capital projects for the improvement of any Parks and Open Spaces and submit these to the Finance Committee.
7. Have responsibility for the maintenance and management of the following Councils assets:
 - War Memorials
 - Buildings in the Memorial Park and the Bowling Green
 - Dove Holes Allotments
 - Courses Allotments
 - Leys Allotments
 - Bus Shelters
 - Public Seats
 - Notice Boards
 - Nanny's Well
 - Street Planters and hanging Baskets
8. To arrange the lighting of the National Beacon on Eccles Pike
9. To make arrangements for the provision of public Christmas trees around the Parish and lighting ceremonies.

Adopted:

Sue Stockdale

From: Chiefofficer <chiefofficer@derbyshirealc.gov.uk>
Sent: 24 July 2019 13:53
To: Sue Stockdale
Subject: Re: Committee powers

Hi Sue

Yes, that is correct. The Council need to set the terms of reference for the committee and ensure it is clear what the decision making powers of the committee are. They should also specify whether a non councillor member of the committee has voting rights (and we recommend that if there is a financial decision that they do not).

The terms of reference are important because a decision made by a committee is binding on the whole council.

Kind regards

Wendy

Sent from my iPhone

On 24 Jul 2019, at 04:23, Sue Stockdale <clerk@chapelpc.org> wrote:

Hi Wendy

At the training course we had here a couple of the new Councillors have picked up that a Committee can make stand alone decisions.

My understanding is that there needs to be Terms of reference for Committees to outline the powers that have been delegated to them from the Full Council?

Sue

Mrs S Stockdale
Clerk of the Council

Town Hall
Market Street
Chapel-en-le-Frith
High Peak
SK23 0HP

01298 813320
07545 914982
www.chapelpc.org

Sue Stockdale

From: Sue Stockdale
Sent: 16 August 2019 10:27
To: Nigel Wetters Gourlay
Subject: RE: Freedom of Information request - Honorary Freeman

In response to the particular information requested in respect of Honorary Freeman:

The cost of the certificates:

Councillor H Batterbee - £520.00
 Councillor P Harrison - £475.00

The cost of the Honours Board in April 2014 - £247.50

The cost of adding two names - £48.00

Mrs S Stockdale
 Clerk of the Council

-----Original Message-----

From: Nigel Wetters Gourlay [mailto:request-596554-de275e3c@whatdotheyknow.com]
Sent: 10 August 2019 10:57
To: Sue Stockdale <clerk@chapelpc.org>
Subject: Freedom of Information request - Honorary Freeman

Dear Chapel-en-le-Frith Parish Council, High Peak,

Please supply details of the costs for Honorary Freeman of Chapel. In particular, please provide details of the costs of:

- * certificates for Councillors Hilary Batterbee and Peter Harrison, who are the only names mentioned on the honour board in the Town Hall
- * the cost of the honour board
- * the cost of adding a name to the honour board

Yours faithfully,

Nigel Wetters Gourlay

 Please use this email address for all replies to this request:
 request-596554-de275e3c@whatdotheyknow.com

Is clerk@chapelpc.org the wrong address for Freedom of Information requests to Chapel-en-le-Frith Parish Council, High Peak? If so, please contact us using this form:
https://www.whatdotheyknow.com/change_request/new?body=chapel_en_le_frith_parish_council_high_peak

CHAPEL-EN-LE-FRITH PARISH COUNCIL

**Minutes of the Meeting of the Honorary Townsmen Working Group held
on
25 November 2014 in the Annexe of the Town Hall, Chapel-en-le-Frith.**

Present: Councillors RN Bradbury, T Norton and S Young

In Attendance: Mrs SE Stockdale – Clerk to the Council

Apologies: Councillor Mrs H Batterbee

15/272 Criteria for the appointment on Honorary Townsmen

Members of the Working Group agreed that the title of Honorary Townsman should only be bestowed on members of the Council.

Awards to members of the community should continue to be made through the Community Awards scheme.

It was agreed that the title of Honorary Townsman should be bestowed on any member of the Council who has given 25 years' service to the Council and that this service does not have to be continuous.

In addition it was agreed that in exceptional circumstances the title of Honorary Townsman can be conferred on members of the Council who have not reached 25 years' service.

The conferring of the title of Honorary Townsman should continue to be made by a resolution of the Full Council.

It was agreed that the Community Award scheme should cover any individual or group who have made a significant contribution within the Parish.

The Town Hall Committee were asked to consider providing a board in the Main Hall to list the Community Award recipients.

The Communications Committee were asked to consider making a website page to list all the Community Award recipients.

The Community Awards Committee should report back to the Full Council with regard to those chosen for Awards prior to them being given.

There being no further business the Chairman declared the meeting closed.

CHAIRMAN

Site meeting with the Courses Allotment Society Committee

Wednesday 21 August 2019

Present: J Benning, L Hallam, E McKenzie, Mr & Mrs Wright
Councillor L McCarthy – Chairman of the Council
Mrs S Stockdale – Clerk of the Council

Councillor Gourlay addressed the Committee prior to the meeting

The Allotment Committee asked what the purpose of the meeting was. The Chairman explained that it had been reported at the August Council meeting that there were approx. 15 people on the waiting list for an allotment at the Courses site and that there were a number of overgrown plots which they needed help with the removal saplings and undergrowth to make further plots available. (Email dated 29 July 2019 attached)

The site was inspected and the Allotment Committee advised that as of the date of the meeting, they would be able to fulfil the current waiting list from the splitting of one plot into two and re-letting other plots that were being given up by tenants.

The agreement with the Allotment Society outlines the administration of the site on a self-help basis by the Society and with the help of the Council.

The Committee asked if the Council would consider helping with the following issues:

- The re-building of part of the stone boundary wall that had collapsed
- Pruning to a large Ash tree
- Investigation into the water supply from Network Rail

Sue Stockdale

From: Nigel Gourlay <ngourlay@gmail.com>
Sent: 29 July 2019 09:14
To: Sue Stockdale
Cc: Liam McCarthy
Subject: Re: Allotments Motion for 6 August council meeting

The waiting list at the Courses was 10 people at the start of June, according to Eddie McKenzie, the secretary of the allotment society. Jockey since then has heard that the waiting list has increased to 11, and knows of three others who are about to apply. There is another person on Growing Up in Chapel who is about to apply. So, the waiting list is currently somewhere between 10 and 15. My August newsletter will push the allotments again. Last year, mentioning the allotments in the newsletter caused a flood of applicants.

I know we don't run the Courses Allotments. The reason I want us to clear the tree saplings from the most overgrown allotments is to increase the number of usable allotments, because there are currently too few. We cannot devolve to another group our responsibility for providing sufficient allotments.

We should look again for allotment land. Just because something was the case in the past doesn't make it the case now.

Nigel

On Mon, 29 Jul 2019, 09:00 Sue Stockdale, <clerk@chapelpc.org> wrote:

Can I just clarify three things?

- What is the waiting list at the Courses and how has the information been made available to you?
- Do you know that we don't manage the Courses Allotment Site?
- We did a call for allotment land as part of the submission to get the status lifted on the Leys site and there was not suitable allotment land. Are you aware that some land has come to light that can be made available?

Sue

-----Original Message-----

From: Nigel Gourlay [mailto:ngourlay@gmail.com]
Sent: 27 July 2019 17:24
To: Sue Stockdale <clerk@chapelpc.org>
Cc: Jason Adshead <generalsolutions1969@gmail.com>
Subject: Allotments Motion for 6 August council meeting

Hello Sue

I'd like this motion to be added to the agenda of the next full council meeting:

This council notes that:

1. there is a lengthy waiting list for the Courses allotments.
2. the process of selling the Leys allotments has caused them to be kept fallow for several years.
3. it is unknown when the allotments lost by the closure of the Leys will be replaced
4. insufficient

Sue Stockdale

From: Nigel Gourlay <ngourlay@gmail.com>
Sent: 21 August 2019 19:49
To: Hilary Batterbee; Peter Harrison; Liam McCarthy; Sue Stockdale; Stella Walters; Chris Sizeland; Charles Lawley; Tony Dales; Paddy Bann; Jason Adshead
Subject: Courses Allotments Meeting

Hello everyone

I just wandered past the Courses and spotted a meeting between the allotment holders, Liam, and Sue.

As I approached, I was warned by a high-pitched Liam that this was just a private meeting between them, not a Parish Council meeting. Several of the growers looked pretty confused by this, as they had been expecting to meet the parish council.

Now, my spidey-sense could be completely askew, but it seemed to me that instead of the meeting with **all** councillors that I requested at the last council, Liam has decided that he needs to present a certain story to the growers, albeit in a falsetto voice.

I made sure that they knew a few snippets of the truth about the Leys, and the how the Courses waiting list had been used to close the Leys.

Nigel

Sue Stockdale

From: Liam McCarthy <liam.mccarthy@tiscali.co.uk>
Sent: 23 August 2019 14:49
To:
Cc: Hilary Batterbee; Peter Harrison; Jason Adshead; Charles Lawley; Paddy Bannon; Sue Stockdale; Chris Sizeland; Tony Dales; Stewart Young; Stella Walters; ngourlay@gmail.com
Subject: Fwd: Courses Allotments Meeting

Dear

On behalf of Sue Stockdale and myself, please may I pass on our thanks to you and the other members of the Courses Allotments Society who attended what developed into a very constructive meeting last Wednesday evening. I was impressed with the level of cultivation of the plots and the diversity of planting. The Allotments Society is doing an excellent managing the site. I also found my discussion with Eddie on his plans for dealing with the waiting list to be beneficial.

Sue is preparing a report on the meeting which will be considered at a future Parish Council meeting.

I have forwarded on an email from Nigel Gourlay which outlines his contribution to the early part of the meeting.

Please feel free to pass on this email to other members of the Allotments Society.

Best Regards

Liam McCarthy

----- Original Message -----

From: Nigel Gourlay <ngourlay@gmail.com>
To: Hilary Batterbee <mail@sparrowpit.com>, Peter Harrison <peter.harrison@care4free.net>, Liam McCarthy <liam.mccarthy@tiscali.co.uk>, Sue Stockdale <clerk@chapelpc.org>, Stella Walters <theoldcellchapel@outlook.com>, Chris Sizeland <chris@sizeland.net>, Charles Lawley <celawley@gmail.com>, Tony Dales <tonydales999@msn.com>, Paddy Bann <cubap@hotmail.com>, Jason Adshead <generalsolutions1969@gmail.com>
Date: 21 August 2019 at 19:48
Subject: Courses Allotments Meeting

Hello everyone

I just wandered past the Courses and spotted a meeting between the allotment holders, Liam, and Sue.

As I approached, I was warned by a high-pitched Liam that this was just a private meeting between them, not a Parish Council meeting. Several of the growers looked pretty confused by this, as they had been expecting to meet the parish council.

Sue Stockdale

From:
Sent: 25 August 2019 21:58
To: Sue Stockdale: liam.mccarthy@tiscali.co.uk
Cc:
Subject: Meeting that took place on Wednesday 21 August 2019

Good Evening Sue and Liam

Since your meeting with the Courses Allotment Committee last Wednesday, there has been a number of emails between the committee members, these being as a result of the unnecessarily offensive email sent by Nigel.

I can confirm that we were only expecting to meet with the two of you and not the complete Parish Council. Any confusion we showed was due to the uninvited attendance of Nigel at our meeting and his refusal to respect our request for him to leave. The tone of his email was offensive and inappropriate.

On the plus side Judy has forwarded your email Liam which was a pleasure to read, thank you for your comments.

Kind Regards

Chairperson
Course Allotment Committee

Sent from my iPhone