

**MINUTES OF THE MEETING OF PRESTBURY PARISH COUNCIL
AT THE COUNCIL CHAMBERS ON 9TH AUGUST 2016 AT 7.30PM**

Present: Councillors: A Dicken (Chairman), L Burns, D Foden, V Herbert(secretary), T Jackson, M Leather, J Martin, K Miles, L Saint, Borough Cllr Findlow

Item	Action
115 Apologies for absence	
Cllrs G Clewley, K Podmore, Clerk – G.Ryder	
116 Declarations of Interest	
None	
117 Public Participation	
Peter Papprell attended as an observer.	
118 To consider co-opting a new councillor	
No application had been received from any eligible potential Parish Councillor.	
119 To approve the minutes of the meeting held on 12th July	
<p><i>Correction to minutes 12th July</i> Item 113 – <i>Cllr Miles</i> seconded the proposal that accounting statements be sent to the Audit Commission Cllr Burns proposed that the minutes of the 12th July be approved. Cllr Foden seconded the proposal All in favour except one person not present at the July meeting Resolved: That the minutes of the 12th July, 2016 should be approved as an accurate record and signed by the Chairman, after the above correction has been made</p>	Clerk
120 Clerk's Report	
The Clerk's report was noted.	
121 Accounts for Payment APPENDIX A	
<p>Cllr Leather asked for clarification on 2 items of travel undertaken by the clerk – this was satisfactorily resolved. Cllr Leather explained that the auditor fees had been significantly increased since last year. We agreed that it was not reasonable to go back to the auditor again and ask for further analysis of the costs but we did agree that the Finance Committee should review other options for auditing and also should review why their new processes have had a significant negative impact on auditing time and cost.</p> <p>Cllr Foden proposed that it would be helpful to have another active member of the Committee; any councillor interested in being involved would have to be proposed and voted in at a Parish Council meeting.</p> <p>Cllr Leather proposed that BACS payments should be replaced by cheque payments. The Chairman suggested that this would be a backward step and instead a system of stopping BACS payments when the Clerk was not available should be implemented</p> <p>Cllr Leather proposed that the accounts for July be approved for payment. Cllr Foden seconded the proposal. All were in favour Resolved: That the accounts for July should be sanctioned for payment.</p>	<p>Finance committee</p> <p>All</p> <p>Finance committee</p>

	for a 1300 drop. A 2350 print run including delivery currently costs £540 - £630. Therefore it was agreed to continue to use the printers to deliver although we know this is not a perfect solution. Copies will also be available in the Co-Op, the Village Hall, the Drs' surgery and on the website.																	
124	To receive reports concerning Cheshire East Council (CEC) issues including the Poynton Area Community Partnership, Local Service Delivery and Devolved Services																	
	<p>Cllr Burns had attended the procedural meeting for the Cheshire East Local Plan examination in public (EIP), which was due to be resumed on September 13th, and she had already circulated her draft response to the questions posed by the Local Plan inspector. She commented that she felt it was inequitable that those participating in the Local Plan hearings had been told on July 27th they could not now introduce any new evidence. Yet, after they had received those instructions, the principal authority had lodged a raft of new evidence papers in the EIP library.</p> <p>Also, the Parish Council had been asked by the EIP programme manager if they would co-operate with other representors and attempt to present a joint case. (This same request was apparently made to some other representors). The purposes of the request was to try and reduce the number of representors. However, it was made at a very late stage and it would not be appropriate for a Council to do anything other than represent its own residents. It was agreed that Prestbury Parish Council were representing its own electorate only. They were not prepared to represent anyone else. Nor were they prepared to have another representor (ie. one who was not a paid professional) putting forward their case.</p> <p>Response proposed by Cllr Burns Seconded by Cllr Leather All in favour.</p>																	
125	Development Project Progress																	
	<p><i>i(a). Tourism (external)</i> Contribution to Marketing Cheshire approved</p> <p><i>i(b). Tourism (internal)</i> Nothing to report</p> <p><i>i(c) Village appearance and Community Pride</i></p> <ul style="list-style-type: none"> • Cllr Herbert reported on visit to Tarporley, especially the lack of weeds and draft minutes on Parish Council noticeboard • Letter sent to existing volunteers thanking them for their help and asking what specifically they are willing to continue to do; half the responses received to date • Cheshire East dog fouling posters due to be received 10th August • Set up meeting to decide how to progress <p>Agreed that draft minutes can be published immediately. Quote for spraying weed killer will be obtained Noted that gentleman cleans the brass in the centre of the village – had been thanked by Cllr Jackson</p> <p><i>ii. Make best use of toilet block site</i> Councillor Martin reported on the survey results. 977 eligible responses received i.e. 36.7% which exceeded the Council's suggested requirement of 25% for the result to be accepted for our guidance.</p> <table border="1"> <thead> <tr> <th>Option</th> <th>Brief Description</th> <th>No. of views</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Option 1</td> <td>Retain as green space</td> <td>73</td> <td>7.5%</td> </tr> <tr> <td>Option 2</td> <td>Convert to car park</td> <td>705</td> <td>72.2%</td> </tr> <tr> <td>Option 3</td> <td>Toilet space plus smaller car park</td> <td>199</td> <td>20.4%</td> </tr> </tbody> </table> <p>Option 2 had received a clear and large majority of public support. The Chairman referred to a letter from Mr M Forbes who had questioned some aspects of the survey: his points were discussed and the Council was satisfied that the results were valid and provided clear guidance. Cllr Martin proposed that the Parish Council proceed to develop Option 2, starting by obtaining the necessary information required for submitting a planning application Seconded by Cllr Miles</p>	Option	Brief Description	No. of views	Percentage	Option 1	Retain as green space	73	7.5%	Option 2	Convert to car park	705	72.2%	Option 3	Toilet space plus smaller car park	199	20.4%	<p>Cllr Herbert Clerk Cllr Leather</p>
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	<p>Motion carried – 4 votes for, 2 against and 1 abstention</p> <p>Agreed that results to be communicated on notice boards and electronically</p> <p>Agreed that a “lessons learned” following this consultation should be carried out and presented to the September meeting.</p> <p>Cllrs Miles and Leather expressed surprise that they were not invited to the last business forum meeting. Will be checked with Carol Hamilton</p> <p>The Council welcomed the offer from businesses to display a sign offering the use of their toilets to the public, similar to that shown but suggested improved visibility, appropriate size and ensuring the Parish Coat of Arms is correct.</p> <p>iii. Access and use of Parrott’s Field. Plan will be drawn up so that CEC can approve the release of Section 106 money, which has to be spent on CEC land; this £20K has previously been agreed. A letter from Mrs Eccleston was discussed: Cllr Miles confirmed that the hedge is not an ancient hedge and also made everyone aware that nothing has been ruled in and nothing has been ruled out. We must bear in mind that this land is public land and therefore Cheshire East could sell it; it is therefore imperative that we move on with plans for Parrots Field A proposal for a new sign at the entrance will be brought to the next meeting to make the space more welcoming and therefore used more.</p> <p>iv. Working together As item i(c)</p> <p>v. Event Management Road closure for the Christmas party has been confirmed. Meeting will be set up in September to discuss this event</p> <p>vi. PR Publicity and Social Media Demographics of users of the Parish website will be presented at the September meeting.</p>	<p>Cllr Martin</p> <p>Cllrs Martin, Jackson</p> <p>Cllr Miles</p> <p>Cllr Miles</p> <p>Cllr Miles</p> <p>Cllr Martin</p>
126	To discuss the Youth Club lease	
	To be in line with the Youth Club’s WREN bid, the revised lease (which is currently being discussed by solicitors for both parties) needs to be approved at our September meeting	Clerk
127.	To discuss the result of the King’s School Planning application	
	This has now been referred to the Secretary of State who may decide to hold a public enquiry. Proposal that we should submit our support for “call in” because it is against the green belt policy. Agreed by 5 votes for and 2 against.	Cllr Burns to draft
128	To discuss Syrian children coming to Prestbury	
	Will be removed from agenda as not known who wanted this raised	Clerk
129.	To discuss Tour of Britain which will travel through Prestbury on the 6th September	
	It was reported that on the 6 th September between 12 noon and 1pm the Tour of Britain would travel through Prestbury. Bunting will be bought and/or obtained from Prestbury Farm shop 3D symbols are available for businesses to put in windows (as in Bollington) Shop in Congleton able to spray bikes – Nick Hine is contact Arrange for professional photographs to be taken for publicity purposes	Cllr Jackson Cllr Miles Cllr Jackson
130	Lack of transparency by the Council, Secrecy and disrespectful behaviour between Parish councillors, breaches to the code of conduct and standing orders and lack of adherence to NALC guidelines on the conduct of Parish Council meetings and the behaviour of	

councillors		
	<p>Paper from Cllr Burns attached to the minutes.</p> <p>Cllr Dicken addressed concerns raised by saying that the audited results from the Toilet block consultation became available at the end of 7th August and he made the decision that the results would be first discussed at the Parish Council meeting on 9th August.</p> <p>Agreed that the standing orders need updating in particular in relation to transparency – to be put on the agenda in December 2016</p>	Clerk
131	To note correspondence and decide which items to take action upon	
	<ul style="list-style-type: none"> • Before Cllr Foden contacts the tennis club about photographs of the trees they have raised, he needs the email sent by the tennis club • Cllr Leather will deliver letters to householders re overhanging greenery in Chelford Road and Castle Hill • Agreed that dog show can take part at the side of the playing field but the organisers will be reminded that this is a play area • Cllr Burns referred to the correspondence which had been received in relation to the Cheshire East Local Plan hearings and to Cllr Miles' previous offer to get involved in them and to represent the Parish Council. 	Clerk Cllr Jackson
132	<p>Review of meeting</p> <p>What went well?</p> <ul style="list-style-type: none"> • Addressed a very full agenda • Listened to other points of view even if we didn't all agree • Made some decisions <p>What to do differently</p> <ul style="list-style-type: none"> • Reduce incidences of revisiting/ reviewing historical decisions <p>What to communicate</p> <ul style="list-style-type: none"> • Outcomes from toilet block consultation 	
	Cllr Dicken thanked Cllr Burns for overseeing the email account in the absence of the clerk, and thanked Cllr Herbert for taking the Minutes.	
	Meeting closed at 22.25	

Chairman

PRESTBURY PARISH COUNCIL – AGENDA ITEM 16.

I have prepared a statement on this item as I would not wish to miss anything out and nor would I wish anything I say to be misinterpreted. (Provide copy of the statement to the minute taker).

The starting point as you will know was that, a week after the survey on the future of the toilet block site closed, I asked if the survey results could be released. This prompted a series of e-mail exchanges that became increasingly fractious but, despite this, the results remained a secret from the majority of the Parish Councillors and the wider community. The outcome has only come into the public domain and the knowledge of full Council at tonight's meeting, although it was known very soon after the survey closing date by the Clerk and two of the Councillors. The irony is that, if I had asked for the information through a Freedom of Information request, it would have had to be released to me. But the Council would have had 21 days to reply. Therefore it was quite probable I would not have received a response until after tonight's meeting in view of the veil of secrecy that was drawn, which, incidentally, is the only incident I know of in my time on the Council. Of course, if this had been a formal referendum or vote, the results would have had to be made public as soon as they were known.

All members of the Council – and we are all local people – are only too well aware that the future of the site in question has raised strong feelings locally - but that is not a valid reason for postponing the release of this information. We had to deal with a similar highly sensitive issue only a few years ago, ie. the church extension. We conducted a household survey about it – in just the same manner - and, as soon as the results were known, we made them public.

There was no prior agreement that this particular survey was to be treated as 'confidential'. In fact it would almost certainly not have qualified for that classification because normally the only matters that can be so treated are financial ones or ones involving staff matters.

If there had been a confidentiality agreement, it would have been covered by clause 43 of our standing orders. This says: "*No member of the Council or any Committee or Sub-Committee shall disclose to any person not a member of the Council any business declared to be 'confidential' by the Council*". But that was not relevant in this case.

What is relevant are the 'Code(s) of Conduct' and the Local Government Transparency Code.

The national Code of Conduct issued by the Standards Board in 2007 covers 'Treating others with respect' and 'Disclosing confidential information'. On the latter I contend that the requirements not to disclose confidential information are not met in this instance. It is quite a long section which I am not proposing to read unless you wish me to from Chapter 2 on pages 10 and 11. The Clerk has circulated this to everyone and you can read it for yourself.

As a Parish Council, we first of all adopted the national Code of Conduct and then, when Cheshire East Council produced their own for their members in 2012, we also adopted their's. This was also circulated to you by the Clerk. In adopting those we agreed to nine 'General Obligations' including 'accountability' 'openness' and 'respect for others'.

'Accountability' says: "*You are accountable to the public for your decisions and you must co-operate fully with whatever scrutiny is appropriate to your office, including local residents*".

'Openness' says: "*You must be open and transparent where possible about your decisions and actions and the decisions and actions of your authority. You should be prepared to give reasons for those decisions and actions*".

And here is the real clincher: "*You must not prevent anyone getting information they are entitled to by law*". In this case, this information has been withheld for two weeks since it was known and adequate reason has not been given. Certainly 'confidentiality' does not apply.

'Respect for others' says: "*You must treat others with courtesy. You should engage with colleagues and staff in a manner that underpins mutual respect and courtesy*". Mutual respect and courtesy has not been evident by the withholding of this information unnecessarily.

Finally, we have the Local Government Transparency Code of 2015 issued by the Department for Communities & Local Government.

Some of you may recall me having an exchange with the Clerk at one meeting about this. The code requires **all** Councils – whether they are principal authorities or Town and Parish Councils – to behave in a particular way and to be more accountable than ever before.

The Transparency Code is guided by three principles quoted in paragraph 5 on page 5 of the code. The first, headed 'Demand led' says: "*It is vital that public bodies recognise the value to the public of the data they hold, understand what they hold, what their communities want and then release it in a way that allows the public, developers and the media to use it*".

The second, headed 'Open', says: "*Provision of public data should become integral to local authority engagement with local people so that it drives accountability to them. Its availability should be promoted and publicised so that residents know how to access it and how it can be used. Presentation should be helpful and accessible to local people and other interested persons*".

And, the third is 'Timely'. Here again we have a fundamental requirement placed upon us. It says: "*The timeliness of making public data available is often of vital importance. **It should be made public as soon as possible following production even if it is not accompanied by detailed analysis***". And it goes on to list all sorts of information we are now required to post on our website. Georgina did make a very brief mention of the fact that she is now required to put more information on the website. This is what she was referring to – the Transparency Code.

I need to point out to you that nowhere in our standing orders – which date back to July 2008 – do we cover the subject of transparency, but we should. You may recall that Christine Musgrove and I had hoped to work together to update the Parish Councils' standing orders but time did not permit before she left the Council. This is a task which desperately needs carrying out. I certainly do not have the capacity this side of the Local Plan EIP starting next month. Whether I might after that remains to be seen, but I am flagging up that it is an overdue task. Any way, as you can see, I hope, I did not take a funny turn in railing at the withholding of the survey results. I believed I was totally justified in doing so and I have shared with you the justifications for my stance.

ENDS.