

**MINUTES OF A MEETING OF HANKELOW PARISH COUNCIL  
HELD AT HANKELOW METHODIST CHURCH, HANKELOW ON 5 NOVEMBER 2018**

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**PRESENT:** Councillor G Foster      Chairman  
Councillor C Ainley  
Councillor G Cope  
Councillor I Jones  
Councillor A Lee

**IN ATTENDANCE:** Borough Councillor R A Bailey  
Seven members of the public, including Mr J Durrant  
Chairman of the Neighbourhood Plan Steering Group

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**43      DECLARATIONS OF INTEREST**

Members were invited to declare any non-pecuniary or disclosable pecuniary interest (DPI) which they had in any item of business on the agenda, the nature of that interest, and in respect of disclosable interests to leave the meeting prior to the discussion of that item.

Councillors C Ainley, G Foster, I Jones and A Lee each declared a DPI in Minute No. 49 below (White Lion Community Pub Ltd.) on the basis that they were shareholders in the company.

No other declarations were made.

**44      DISPENSATIONS**

Following the abolition of the Standards Board, the Localism Act 2011 introduced a new interest which must be registered (and declared), namely a 'disclosable pecuniary interest' (DPI), which related to employment, office, trade, profession or vocation for profit or gain, sponsorship, contracts, beneficial interests in land, licences to occupy land, corporate tenancies and securities. Failure to register such an interest was a criminal offence (s.30 of the Act).

Members who were now either directors or other category of persons who had shares in the White Lion Community Pub Ltd. had a disclosable pecuniary interest in this item. Those Members had been invited to complete an application for dispensation, to be submitted to the Clerk prior to this meeting. Councillors C Ainley, G Foster, I Jones and A Lee had each submitted a request for a dispensation and the Parish Council was asked to consider the requests.

**RESOLVED:** That a dispensation be granted under S.33 of the Localism Act 2011 to Councillors C Ainley, G Foster, I Jones and A Lee in respect of the White Lion Community Pub Ltd. on the basis that having regard to all the relevant circumstances, the Parish Council considers that, without the dispensation, the number of persons prohibited from participating in discussion on the White Lion Community Pub Ltd. would be so great a proportion of the Council as to impede the transaction of the business.

**45      MINUTES – 3 SEPTEMBER 2018**

**RESOLVED:** That the Minutes of the meeting held on 3 September 2018 be approved as a correct record.

**46      PUBLIC QUESTION TIME**

In accordance with the Parish Council's Standing Order No. 1, members of the public were able to ask a question or to make a statement.

There were no questions from members of the public.

**47 SALE/PURCHASE OF HANKELOW METHODIST CHURCH**

It was reported that a meeting had been held with Roger Millns and the Reverend Gary Windon at which time they had indicated that they were willing to discuss the role of the Church in the community in the future.

**48 NEIGHBOURHOOD PLAN**

The minutes of the Neighbourhood Plan Steering Group meeting held on 22 October 2018 were submitted and Mr J Durrant (Chairman of the Steering Group) spoke to the item.

**49 WHITE LION COMMUNITY PUB LTD.**

Members reported in respect of the acquisition of The White Lion as a community pub. There were 36 shareholders. Discussions were being held with a third party about the sale of part of the site for development; this was necessary to offset the costs of the acquisition.

Phase 2 of the project was fund-raising as funds were required for refurbishment of the building.

During discussion, Members raised the issue of the donations to the White Lion Action Group 'fighting fund' made by residents in 2017-2018 at which time the Clerk had been at pains to explain to the Parish Council (Meeting held on 2 May 2017) that once the donations had been deposited in the Parish Council's bank account, they were subject to local government financial regulations and any unspent donations could not be returned to the donors. Moreover, the law did not permit cheques to be made out to individuals, other than to reimburse them for expenditure incurred on behalf of the Parish Council, at the Parish Council's request. However, the funds could be ring-fenced for spending on matters relating to The White Lion.

When the Parish Council had set its budget for the current financial year (2018-2019) it did not make any provision for the White Lion. The White Lion Action Group had featured in the budget monitoring report submitted to the November 2017 meeting, but only to the extent that there had been spend during 2017-2018; there were no figures included for 2018-2019. If Members had wished to make provision during 2018-2019, this would have been the first opportunity to include funding; the second opportunity was at the January 2018 meeting, when the budget was finalised.

**RESOLVED:** That, notwithstanding that there was no budget provision, the Parish Council approve a grant in the sum of £625.00 under S.137 of the Local Government Act 1972, to the White Lion Community Group (Hankelow) Ltd.

**50 FINANCIAL MATTERS**

**50.1 Authorisation of Payments**

**RESOLVED:** That the following payments be approved:

£74.40	HMRC – Tax on Clerk's salary
£54.00	T P Jones - Payroll service
£130.00	The Feed Store (duck food)
£50.00	Barn Owl Trust <sup>1</sup>

**50.2 Draft Budget 2019-2020**

The Parish Council gave initial consideration to the budget for 2019-2020.

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<sup>1</sup> This payment was approved later in the meeting but has been included here for ease of reference.

The Clerk's report was submitted, together with a Budget Monitoring Report/Draft Budget 2019-2020 and a Receipts and Payments statement for the period to 30 June 2018 only; bank statements were awaited.

The following were discussed.

Add new budget line: Amenities: £2,000.00  
To be used for purchase of trees/benches and maintenance of the village green.

Line 19: Neighbourhood Plan  
  
Reduce allocation from £2,000 to £500. The grant of £4,625 from Locality UK would be available to fund Neighbourhood Plan expenditure.

Line 20: White Lion Community Pub Ltd.

This was to be considered at the January 2019 meeting. Members were concerned that this represented double-taxation as some residents had already contributed financially to this project. It was suggested that rather than direct funding, consideration could be given to community-related activities.

Playground at Lodge Farm: The Clerk would follow up with Heyford Homes regarding future responsibility for maintenance of the playground.

**RESOLVED:** That the Clerk make appropriate amendments to the draft budget and submit a revised document to the January 2019 meeting,

### **50.3 Cheshire East Council – Pre-Budget Consultation Budget 2019-2022**

Cheshire East Council had published its Pre-Budget Consultation Report for 2019 to 2022 and was inviting the opinions and views from residents, businesses, councillors, staff, town and parish councils, local community groups and other stakeholders. The feedback received would be used to inform the budget setting process.

**RESOLVED:** That the Parish Council decline to comment on Cheshire East Council's Pre-Budget Consultation Budget 2019-2022.

## **51 PLANNING APPLICATIONS**

The Parish Council was invited to comment on the following planning application.

18/4858N Land off Audlem Road, Hankelow:  
Outline application for rural exception site for 10 dwellings and access from the main road.

**RESOLVED:** That the following observations be submitted in respect of planning application No. 18/4858N:

### **The Local Need for Affordable Homes**

- 1) The Design and Access (D&A) statement refers in several places to a need for affordable homes in the area. It is acknowledged that if there is still a need for affordable homes in Hankelow, this scheme would be a means of providing them; however, CELPS policy SC 6, which is the policy governing Rural Exceptions, states in paragraph 4: *"In all cases, proposals for rural exceptions housing schemes must be supported by an up-to-date<sup>(55)</sup> Housing Needs Survey<sup>(56)</sup> that identifies the need for such provision within the parish"*

Footnote 55 states: “*within the last 5 years*” and 56 states “*Cheshire East Council has up-to-date Housing Needs Surveys for many rural areas which may be utilised. Where an up-to-date survey does not already exist, the applicant must conduct a survey, based on the Cheshire East Council model survey, in conjunction with the parish council where possible*”.

- 2) In the D&A statement, paragraph 4.3, the Cheshire East Rural Housing Needs Survey 2013 is quoted as identifying a need for five new affordable houses. This survey was published on 1 November 2013 and is therefore out-of-date.
- 3) In the D&A statement paragraph 4.5, the Cheshire East Strategic Housing Market Assessment update 2013 is quoted. This assessment is also five years old.
- 4) In the intervening five years some affordable homes have been provided in Hankelow, on the Lodge Farm estate currently under construction. There are also some 151 housing commitments and 58 recent completions in Audlem, according to the emerging SADPD. These developments must have provided some affordable homes.
- 5) It seems, therefore, that a new survey is required to provide evidence that there is a current need for affordable homes in Hankelow.

### **Sustainability**

- 1) The statement refers to various past appeal decisions having classed Hankelow as sustainable. However, since those appeals, the public house and the golf course have closed and the telephone box has been removed, which have reduced the current sustainability of Hankelow.
- 2) Plans have been approved on appeal to demolish the pub, however as the D&A statement mentions, the site has recently been purchased by a group of villagers in the hope of restoring it to use as a community pub. At the moment the ongoing restoration is not funded and cannot be treated as a certainty. It is acknowledged that the increase in population would potentially increase the viability of the enterprise, should it succeed.
- 3) The bus service is referred to as convenient and in paragraph 7.1 as “hourly”. However the timetable has 2-hour gaps in the mid-morning and mid-afternoon, and the final bus is at 18:41, so there are no evening services.
- 4) Paragraph 5.2 refers to “*easy links to Audlem...*”. The relatively sparse bus service has already been mentioned, but it should also be *pointed out that the footpath from Hankelow to Audlem along the A529 is not complete, and it is impractical and dangerous to walk to and from Audlem by this route. There is no street lighting, nor is no speed limit for much of the route and there is a bad bend with very poor visibility near Corbrook Court, the stretch where the footpath is missing. Thus it is not safe or practical to walk to the school or the shops in Audlem; there are no shops in Hankelow.*
- 5) The Local Service Centre of Audlem has a primary school and a medical centre. The medical centre is already at full stretch and is refusing to take some new patients. While the school may have some space for additional pupils as mentioned in the D&A statement paragraph 7.12, the emerging SADPD is showing a total allocation of 251 new homes in Audlem up to 2030, which is likely to take up that capacity.

### **Public and Political Support**

- 1) Paragraph 6.2 states “*the review of the settlement boundary by the current Parish Council appears to have mixed public support and little local political support and seems to have little desire to move development forward within the village which is against a national policy of increasing housing supply.*”
- 2) The emerging SADPD is set to remove the settlement boundary and render all of the village of Hankelow as open countryside. However during the early development of the Neighbourhood Plan a proposed extension to the settlement boundary was well supported during drop-in sessions and meetings with residents. These also showed a level of support for affordable housing by over 50% of respondents.
- 3) The Neighbourhood Plan is nearly ready for the regulation 14 consultation. During the preparation of the plan, Cheshire East supplied a Housing Needs Advice Report (HNAR), published in January 2018. This shows a need for 14-18 new homes in the parish, but completions and commitments of 40, so Hankelow has already contributed considerably to the national housing supply and there is no current housing need. Many of the new homes were approved by the Parish Council.

- 4) However, it is acknowledged that the HNAR notes the ageing population of Hankelow and advocates plans for the provision of smaller homes to allow for downsizing. After a call for sites, two infill sites are being considered for allocation in the Neighbourhood Plan, and these may provide a suitable location for 5 or more smaller homes.
- 5) It is thus incorrect to say that there is little local public or political support for development in Hankelow.

#### **The Agricultural Justification Report**

- 1) The report is clearly out-of-date, as it makes many references to the golf course and difficulties caused by golf balls. The course has been closed for some time and the land has already been returned to agricultural use, thus all comments concerning the difficulties caused by the golf course are entirely invalid.
- 2) The report comments on poor drainage, but the D&A statement comments on a pond near the proposed development as being dry for most of the year.
- 3) The viability of the land for agricultural use will surely be reduced if its area is reduced by the proposed development.
- 4) The land is quoted as being "poor" in the agricultural survey and as Grade 3 in the D&A statement. In fact most is grade 3a, while some is grade 2 (information from Magic Maps shown below). Grade 3a is classed thus: *"Subgrade 3a – good quality agricultural land with moderate limitations that affect the choice of crop, timing and type of cultivation/harvesting or level of yield. This land can produce moderate to high yields of a narrow range of crops or moderate yields of a wide range of crops."*

#### **The Flood Risk/GCN survey.**

- 1) Residents who live near the pond report that it is not dry for most of the year as stated in the D&A statement paragraph 7.16, and that there are large numbers of common amphibians in the area.
- 2) The attempt to obtain water samples referred to in paragraph 7.17 was during one of the driest periods of recent years.
- 3) Hankelow has a general problem with poor drainage, as shown by problems experienced by several of the recent new developments nearby. The agricultural report also refers to poor drainage on the field, as mentioned above.

#### **Location, Design and Character**

- 4) The proposed development is directly opposite other properties. The appeal decision in May 2016 on the Longhill Lane application (APP/R0660/W/15/3141371) contained the following *"I observed that generally within the village, there are only a limited number of places where houses directly face each other...this scheme would introduce a form of development that was out of keeping with the prevailing character of the village"*.
- 5) CELPS policy SC 6 states in para 3. *"A site options appraisal must be submitted why this site is the most suitable one. Such an appraisal must demonstrate why the need cannot be met within the settlement"*. There doesn't seem to be such an appraisal.
- 6) The density of the development seems extreme – the amount of land per dwelling is less than any property in Hankelow. This is not in keeping with the general density of nearby properties, and is more characteristic of an urban rather than a rural scheme. It is accepted that dwellings are more likely to be affordable in comparative terms if the development in which they are comprised is at a relatively high density, however 10 dwellings on a site of 0.23 hectares seems particularly high for a rural setting on an otherwise open field.

#### **Consultation**

- 1) There has been no pre-planning consultation with the Parish Council, and this is contrary to the National Planning Policy framework.

If the Borough Council is minded to approve the application, the Parish Council requests that permission be conditioned as follows:

- (a) Development contributions from S.106 and CIL be used to improve the highways network in Hankelow;

- (b) Before any development is commenced, thorough investigation of the drainage capability of the site be undertaken to avoid a repeat of problems experienced on nearby sites; and
- (c) The registered housing provider should be required to sign-up and have identified the need for these houses, before any development takes place.

**52 30 MPH ROUNDELS AND POSTS**

At the September meeting, a letter from a resident was read to the meeting. The letter asked the Parish Council to consider purchasing 30 mph roundels for use on Hall Lane.

**RESOLVED:** (a) That Councillor Ian Jones purchase two x 30 mph roundels and posts on-line, on behalf of the Parish Council; and

(b) That Councillor Jones be reimbursed for the expenditure at the January 2019 meeting.

**53 WAYLEAVE – VILLAGE GREEN**

At the September meeting, the Clerk was asked to contact Scottish Power to request a wayleave in respect of the Village Green. The Clerk made contact with Scottish Power but had not received a response.

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(Note: Councillor R A Bailey arrived at this point in the proceedings.)

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**54 REQUEST FROM SANTOSHA KENNELS**

Santosh Kennels had asked the Parish Council to consider the installation of an information sign opposite to Longhill Lane on the Village Green, to direct people to the location of the kennels.

Members were concerned that by agreeing to this it could 'open the flood-gates'. An alternative was suggested, namely, to site the sign on the grass verge near to the bus-stop.

**RESOLVED:** That the matter be discussed at the next meeting.

**55 SHARED INFORMATION**

Parish Councillors were invited to share information or report on attendance at any recent meetings of outside bodies. This was also an opportunity for Borough Councillor Rachel Bailey to report on Cheshire East Council matters of interest.

There were no issues raised by Members other than the request for a donation to the Barn Owl Trust which was dealt with under Minute No. 50.1 above.

Borough Councillor Rachel Bailey reported on Cheshire East Council matters including the recent review of the bullying culture at CEC. Over 200 staff had commented that they had either been subjected to bullying or had witnessed it. The Local Government Association was assisting in introducing a culture-set programme to change the style of engagement between staff and Members with the intention of changing the culture and eradicating bullying.

**56 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 item owing to the confidential nature of the business to transacted and the public interest would not be served in disclosing that information.

**57 ARRANGEMENTS FOR THE APPOINTMENT OF A NEW CLERK**  
(Reason for exclusion: Deals with employment matters)

Members considered arrangements for the appointment of a new Clerk.

**RESOLVED:** (a) That a draft advertisement be issued to Members for comment; and

(b) That candidates be invited to submit applications to the Clerk who would forward them to the Chairman.

**58 DATE OF NEXT MEETING**

**7 January 2019**

DRAFT

.....Chairman

The meeting commenced at 7.35 pm and concluded at 9.20 pm