

**MINUTES OF THE ANNUAL MEETING OF THE PARISH COUNCIL****HELD ON WEDNESDAY 5th MAY 2021 at 7.30pm by VIDEO CONFERENCE**

Present: Cllrs Morris (KM)(Chairman), Rathbone (TR)(Vice-Chairman), Beckham (NB), Lord (SL), Morgan (PM), Roberts (DR), Ross (CR), Sulej (JS) and Williams (EW)

In attendance: Sharon Jones, Clerk to the Council and Cllr Kolker (CEC).

The chairman mentioned that there had been a number of meetings recently and this was because the Council had brought the meetings forward so they could be held virtually before permission to hold virtual meetings expired on 7th May 2021.

05.21.1. Elect a Chairman - Cllr Morris was nominated by TR and second by CR. **Resolved:** *Cllr Morris was elected Chairman of the Parish Council.*

CR proposed a vote of thanks for all the work Cllr Morris has done for the Council over the last year.

2. Elect a Vice Chairman – Cllr Rathbone was nominated by CR and second by SL. **Resolved:** *Cllr Rathbone was elected Vice-Chairman of the Parish Council.*

CR proposed a vote of thanks for all the work Cllr Rathbone has done for the Council over the last year.

3. Declaration of Interests: There were no interests declared. TR declared interest in the Grant Awards item as he is a member of the Goostrey Scout Executive.

4. Apologies for absence: Apologies for absence were received from Cllr O'Donoghue.

5. Minutes: To approve and sign the Minutes of the meeting on 27th April 2021. View minutes of the meeting at <https://goostrey.info/wp-content/uploads/2021/05/GPC-Minutes-27042021-draft-v2.pdf>

Motion 1 -Resolved: *The Parish Council accepts the minutes of the Parish Council Meetings on 27th April 2021 as a true record of the meeting.*

6. Cheshire East Council Matters: To receive a report on Cheshire East Council Matters. To deal with any questions by Members relating to the report and any questions by Members notified in advance to the Chairman and the CE Councillor.

New Mayor of Cheshire East Council – Cllr Kolker reported that Cllr Sarah Pochin, who is a magistrate, and has represented Bunbury since she was elected as a member of Cheshire East Council in 2015, had been sworn in as Mayor on 4th May 2021.

Cheshire East Council has moved to a Committee form of Governance from a cabinet structure. Committees have been created for all areas of responsibility (see details at <https://moderngov.cheshireeast.gov.uk/ecminutes/mgListCommittees.aspx?bcr=1>). AK is now the Chair of Southern Planning Committee, and Cllr Gilbert was a member of the Highways and Transport Committee.

On behalf of the Council, the Chairman congratulated Cllr Kolker on his appointment as Chairman of the Southern Planning Committee.

The Chairman asked AK if he would be able to put some of his highway's budget for minor works towards the Goostrey Village Gates project. Cllr Kolker indicated that he needed to allow the other ward councils to put forward suggestions for projects in their Parishes.

AK and LG will try to find out if Parish Councils have to use Ringway Jacobs for the new menu of Highways Works that are paid services over and above Cheshire East's basic services.

KM enquired if AK had received any further information about delegation to an officer from the Monitoring officer. AK said he had not. The Chairman asked that if AK had concerns about matters relating to the Parish Council he should speak directly to the Clerk or himself rather than posting comments about the legality of the Councils decisions on Facebook alone.

- 7. Motion to suspend standing Order 5. Ordinary Meetings item K sections v, vi, viii to xxi (inclusive)** – To meet statutory requirements the only items of business that must be conducted at the Annual Meeting of the Parish Council is the Election of a Chairman. It is therefore proposed that all other items of business which are listed in Standing Orders in 5. Ordinary Meetings item K are deferred until the next meeting of full council to be held in person (see standing order K pages 11 & 12 at <https://goostrey.info/wp-content/uploads/2021/02/GPC-STANDING-ORDERS-23rd-February-2021-v1-1.pdf>)

Motion 2- Resolved: *The Parish Council resolved to suspend Standing Orders in 5. Ordinary Meetings item K sections v, vi, viii to xxi inclusive, and defers these items until the next meeting of full council to be held in person. Any appointments not considered at the Annual Meeting on 5th May 2021, shall remain in place until they are considered at a meeting of full council to be held in person.*

- 8. Appoint Councillors to Committees** – To consider the appointment of Councillors to the standing committees (see list of Councillors Appointed to Committees on **page A1**)

KM reported that Cllr O’Donoghue had indicated that he was happy to remain on Finance and he would like to join the Staff Committee and Amenities time permitting. The Chairs and Vice Chairs of Committees will be elected at the first meeting of each Committee.

Resolved: *The Parish Council resolved to appoint councillors to committees as indicated in the Appendix ITEM 05.21.08 – Appoint Councillors to Committees on page A1.*

- 9. Committee Matters:** To receive reports from the Parish Council Committees:
- i. **Village Hall Management 4th May 2021** – Cllr Beckham made a report from the meeting. Minutes can be seen at <https://goostrey.info/wp-content/uploads/2021/05/VHMC-04052021-Draft-Minutes-v2.pdf>

Motion 3- Resolved : *The Parish Council resolved to accept the VHMC recommendation to continue with the current supplier to refurbish the Hall Floor at a cost of £2,450 +VAT which would be split equally between the School and the Parish Council.*

Motion 4- Resolved: *The Parish Council resolved to approve the quote of £300.00 for the replacement of the loft ladder in the interests of health and safety.*

- 10. Planning Matters:** To consider the following Planning Appeal

- **20/2250C** - BRICKBANK FARM, BOOTH BED LANE - Conversion of traditional agricultural building into one dwelling, creating a small glazed extension and proposed double storey garage. Comments due by 25th May 2021.

Motion 5- Resolved: *The Parish Council resolved to object to the application on the basis of the Neighbourhood Plan and that final wording will be defined by the Chairman and the Clerk.*

- 11. Financial Payments:** To approve payments in Schedule 05/21. Includes: Salaries & expenses see Payment Schedule at <https://goostrey.info/wp-content/uploads/2021/05/Payment-Schedule-May-2021-new-format.pdf>

- i. **Motion 6- Resolved:** *The Parish Council resolved to approve the payments listed on Schedule 05/21.*

- 12. Clerk’s Report** – including Actions from the Last Meeting and Correspondence received. See the actions and correspondence on **page A2**.

- 13. Grant Applications :** To consider a grant application from a local group – see **page A2**.

Motion 7 - Resolved: *The Parish Council resolved to approve the Grant application of £335.24, however, the Council asks that the Scouts consider using biodegradable supports rather than plastic in future.*

Action: Clerk to ask the Scouts to consider using biodegradable supports for future projects.

- 14. Scheme of Delegation** – To approve the Scheme of Delegation to the Clerk. The COVID-19 Legislation to allow Town and Parish Councils to hold meetings virtually expires on 6th May 2021. This means that Parish Council meetings can only be held legally on a face-to-face basis, however according to Government Guidelines public gatherings indoors are not currently permitted. Therefore, for reasons of health and safety of Councillors, employees, and the public the Council does not propose to hold any Parish Council Meetings face to face until it is safe and legal to do so – See proposal on **page 6**.

Motion 8- Resolved:

The Parish Councils resolved that until either:

- a. *The government advises that virtual meetings can resume, or*
- b. *Government restrictions are eased sufficiently for meetings to take place safely (this will be conditional on the Governments Lockdown Exit Plan reaching Stage 4 and for the majority of councillors and the Clerk to be satisfied it is safe to meet in Person in the Village Hall.*

The Clerk be authorised to exercise any function that would normally be exercised by Full Council or a committee excepting any which statute prescribes may only be exercised by Full Council.

That this authority be subject to the following conditions:

- i. *No decision shall be made which would constitute a permanent change in established policy*
- ii. *No decision shall be taken prior to the Clerk having sought counsel from the Chairman or Vice-Chairman and the relevant committee's Chairman and/or Vice-Chairman*
- iii. *Should the Clerk or the Chairman or Vice-Chairman or the relevant committee Chairman or Vice-Chairman consider it appropriate, the Clerk shall prepare a report on a proposed decision and circulate it to all members of a committee or the council by email and no decision shall be taken prior to all members having indicated their view or one calendar week having passed. Alternatively, a virtual meeting will be arranged to discuss the matter.*
- iv. *A record of all decisions made under this authority shall be kept and reported to all members by email weekly and to the first relevant meeting*
- v. *Where authority is already delegated through Standing Orders, Financial Regulations, existing policy or previous resolution, any conditions attached thereto shall continue to have effect.*

The current schedule of meetings of the Parish Council and Committees will be replaced with a set of working group meetings as follows. These will be held virtually with all decisions being made under delegate authority by the Clerk and will be made accessible to the public.

Parish Council meetings are replaced with Parish Working Group Meetings

Committee Meetings are replaced with Working Group Meetings

Amenities Working Group via Zoom

2nd June 2021 at 7.30pm

Parish Working Group Meeting via Zoom

22nd June at 7.30pm

Other meetings will be arranged as necessary

Motion 9- Resolved: *The Parish Council resolved to hold a meeting of Full Council on 29th June 2021 for the purpose of the approval and signature of the AGAR.*

- 15. Minor Items & Items for the Next Agenda:** To take any points from Members and to note urgent items of interest
- CR asked if there had been many responses to the Village Improvements Questionnaire. TR reported that there had been around 60 and most of those had been submitted through Survey Monkey.
 - DR asked about Councillor Liaison Roles – **Action:** Clerk to add these to the agenda of the next meeting.
- 16. Date of Next Meeting:** To confirm the date of the next Meeting – 29th June 2021.
- 17. Closure of Meeting:** To formally close the Meeting.

Public Session

Rev Buckley asked if the Parish Council had considered marking the lives of people who have died during the COVID-19 pandemic. EW suggested planting a special crocus called, “remembrance” which flowers in March, on Church Bank Corner. **Action:** Clerk to co-ordinate a proposal that the Council can agree on with Rev Buckley, EW, and TR.

Rev Buckley also asked if St Luke’s Church could make a presentation to the Council with regard to their latest development plans for the Church. The meeting would be for information only and any decision by the Parish Council will be taken separately at a planning committee meeting.

KM suggested that a meeting of this type would need to be held with the public in attendance.

The plans for the Church will also be on public display in the Church.

Action: Clerk to liaise with Rev Buckley to find a suitable date to hold a public meeting in the Village Hall (on a date when there will be few or no restrictions on numbers of attendees).

Minutes of the meeting remain draft until approved at the next meeting of the Council.

APPENDIX 05/21**ITEM 05.21.08 – Appoint Councillors to Committees****Committees and Members at 5th May 2021****Amenities Committee**

Terence Rathbone
Paul Morgan
Neil Beckham
Sara Lord
Dave Roberts
Emma Williams
Ian O'Donoghue

Finance Committee

Paul Morgan
Julian Sulej
Ken Morris
Terence Rathbone
Sara Lord
Ian O'Donoghue

Planning Committee

Ken Morris
Neil Beckham
Sara Lord
Terence Rathbone
Dave Roberts
Colin Ross
Julian Sulej
Emma Williams

Staff Committee

Ken Morris – Chairman GPC
Terence Rathbone – Vice Chairman GPC
Sara Lord
Colin Ross
Ian O'Donoghue

Village Hall Management Committee (VHMC)

Neil Beckham
Dave Roberts
Julian Sulej

ITEM 05.21.12 – Clerk’s Report

Actions from the Last Meeting

- a. KM to write to CEC Highways to challenge the proposed scheme of Highways and transport charges- **Completed.**
- b. AK to raise the issues associated with CEC Highways and transport scheme or charges on behalf of the Parish Council.
- c. Clerk to submit a register of interest form for the Parish Council to take on responsibility for the Bog Bean.
- d. Clerk to submit a return of No Comments to Cheshire East Planning with regard to application 21/1797C - **Completed.**
- e. Clerk to write to the Chairman of the VHPFF to inform him of the Council’s decision with regard to the donation for the Bowling Hut - **Completed.**
- f. Clerk to add the Scheme of Delegation to the Agenda for the Meeting on 5th May 2021 - **Completed.**
- g. Clerk to write to resident regarding the Council’s decision on Fly Tipping on Bridge Lane- **Completed.**
- h. Clerk to write to resident regarding the Council’s decision on Gigabit Broadband and to include a link to the public consultation - **Completed.**
- i. KM to circulate papers from this meeting to all councillors - **Completed.**

Correspondence

- a. Goostrey Footpaths Group – request for Council to designate a nominated Member to join the Footpaths Group. **Action:** Clerk to add this item to the agenda of the next Parish Council Meeting.
- b. National Association of Local Councils YOUTH SURVEY
- c. ChALC - DCMS Rural Broadband Consultation - NALC Briefing PC3-21
- d. Network Rail Network Rail - Service Request Notification 210428-000430
- e. Resident - Re: Attention Goostrey Parish Meeting 2021 (29th April 2021),
- f. ChALC FW: [OFFICIAL] Presentation for circulation to Councils
- g. National Association of Local Councils - CHIEF EXECUTIVE'S BULLETIN
- h. Civic Voice - civic update - 30th April 2021
- i. ChALC Weekly Bulletin 30.04.21

ITEM 05.21.13 – Grant Application – To consider an application from 1st Goostrey Scouts for a grant of £335.24.

The grant is for the following items for Carbutts hedge and at the Orchards Farm (Goostrey part 2)

£65.12 x 2 Weed mat rolls

£0.30 x 500 Spiral guards

£0.11 x 500 Canes

£335.24 total

ITEM 05.21.14 – Scheme of Delegation - To approve the Scheme of Delegation to the Clerk. The COVID-19 Legislation to allow Town and Parish Councils to hold meetings virtually expires on 6th May 2021. This means that Parish Council meetings can only be held legally on a face-to-face basis, however according to Government Guidelines public gatherings indoors are not currently permitted. Therefore, for reasons of health and safety of Councillors, employees, and the public the Council does not propose to hold any Parish Council Meetings face to face until it is safe and legal to do so

1.0 BACKGROUND

The COVID-19 legislation allowing Parish Council meetings to be held virtually comes to an end on 6th May 2021. This means that from 7th May 2021 the Government will expect that all Parish Council Meetings are carried out in person, following any Government Restrictions in place at that time.

Meetings indoors will not be possible due to Government Restrictions, until 17th May 2021 and it is likely that any guidelines in place at that time would not allow the flexibility required to hold a Parish Council meeting giving access to the public effectively unless hybrid meetings are used which require the councillors to be present, but members of the public can attend virtually.

Given that not all councillors will have received their vaccinations by 17th May 2021, and it may not be possible or practical to hold hybrid meetings as specialist equipment is needed to facilitate such a meeting, it is likely a properly convened meeting of the Council will not take place until after 21st June 2021.

The Council needs to consider how it will operate between 7th May and 21st June.

Lawful decisions can only be made by Full Council or in accordance with section 101 of the Local Government Act 1972, which allows for the majority of functions to be delegated to a committee, sub-committee, or officer. It is not lawful for councillors to exercise a function on behalf the council outside a lawfully duly convened council, committee, or sub-committee meeting.

To facilitate the lawful and efficient operation and continuation of council function during this period, it is recommended that council approves a temporary delegation of authority to the Parish Clerk. This will lawfully give her the power to make decisions which would otherwise be taken by council or committee.

3.0 CONNECTED MATTERS

The council is still required to approve the Annual Governance and Accounting Review (AGAR) by 2nd July 2021, this approval must take place at a Full Council meeting. An Extraordinary Meeting of full council will be arranged with the prime objective of approval and signature of the AGAR between 28th June and 1st July 2021, observing Government COVID-19 guidelines in place at that time. Members of the public will be admitted to the meeting.

1 - Local Government Act 1972 Schedule 12 7(2)