



Congleton Town Council

Historic market town

Town Clerk: **BRIAN HOGAN**



8th January 2015

Dear Councillor,

Town Council Meeting – Thursday 15th January, 2015

You are summoned to attend a meeting of the Council, to be held in the Town Hall, Congleton on **Thursday 15th January, 2015** commencing at **7.00pm**.

The Public and Press are welcome to attend the meeting. There may be confidential items towards the end of the meeting which the law requires the Council to make a resolution to exclude the public and press.

Yours sincerely,

B. Hogan
TOWN CLERK

AGENDA

1. Apologies for absence. (Members are respectfully reminded of the necessity to submit any apology for absence in advance and to give a reason for non attendance).

2. Minutes (enclosed)

To approve the Minutes of the meeting held on 4th December 2014.

3. Declarations of Disclosable Pecuniary Interest

Members are requested to declare both "non pecuniary" and "pecuniary" interests as early in the meeting as they become aware of it.

4. Outstanding Actions

None.



Congleton
beartown
where friends are made

Congleton Town Council, Town Hall, High Street, Congleton, Cheshire CW12 1BN

Tel: 01260 270350 Fax: 01260 280357

Email: info@congletontowncouncil.co.uk www.congleton-tc.gov.uk

5. Questions from Members of the Public (enclosed)

To receive any questions from Members of the Public at the meeting and, notified in advance in writing.

6 Mayor's Announcements (enclosed)

To receive any announcements by the Town Mayor and to receive a list of the Mayor's Engagements.

7. Planning Committee (enclosed)

To receive the minutes of the meeting held on 20th November 2014

8. Finance and Policy Committee (enclosed)

To receive the minutes of the meeting held on 27th November 2014.

9. Urgent Items

Members may raise urgent items but no discussion or decisions may be taken at the meeting.

10. Cheshire East Councillors' Reports

To suspend Standing Orders to allow Councillors from the principal authority to report on relevant issues and to receive questions from members.

11. Youth Committee (enclosed)

a) To receive the minutes of the Youth Committee meeting held on held on 4th December 2014. (enclosed)

b) To deal with Questions from Members of the Youth Committee present at the meeting.

12. Complaints Policy (enclosed)

To consider and approve an amended complaints policy.

13. Internal Audit Review (enclosed)

To consider a report on the appointment of Internal Auditors.

14. Neighbourhood Plan (enclosed)

To consider a report on the Neighbourhood Plan Team and a request for financial support.

15. Public Realm Strategy

To consider and agree a working group to liaise with Highways on the production of phase 1 and 2 of the Public Realm Strategy.

To: Members of the Town Council, Press 3, Burgesses (5), Mayor's Chaplain,
Members of the Youth Committee
MP, Cheshire East Councillors (4), Library, Congleton TIC.

Congleton Town Council

Minutes of the Meeting of the Council held on Thursday,
4th December 2014 in the Town Hall, Congleton.

PRESENT: Councillors Mrs D S Allen
 P Bates
 G Baxendale
 R I Brightwell
 D T Brown
 J S Crowther
 G R Edwards
 G P Hayes
 Mrs S A Holland
 Mrs A M Martin
 D Murphy (Town Mayor)
 D A Parker
 J D Parry
 Mrs E Wardlaw
 G S Williams
 R K Williams

1. **APOLOGIES**

Apologies for absence. (Members are respectfully reminded of the necessity to submit any apology for absence in advance and to give a reason for non-attendance).

Apologies for absence were received from Councillors L D Barker, Ms L Bours and N T Price.

2. **MINUTES**

CTC/41/1415 RESOLVED- That the Minutes of the meeting held on the 30th October 2014 be approved and signed by the Mayor.

3. **DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST**

Members are requested to declare both "non pecuniary" and "pecuniary" interests as early in the meeting as they become aware of it.

Cllrs G Baxendale and D T Brown declared a non-pecuniary interest in any matters related to Cheshire East Borough Council.

4. **OUTSTANDING ACTIONS**

None.

5. **QUESTIONS FROM MEMBERS OF THE PUBLIC**

There were no questions from members of the public.

6. **MAYOR'S ANNOUNCEMENTS**

The Town Mayor drew attention to the various engagements that he and the Deputy Mayor had fulfilled since the last Council meeting.

The Mayor on behalf of the Town Council thanked the organisers and the many volunteers who were involved in the Christmas Lights Switch On event.

7. **PLANNING COMMITTEE**

CTC/42/1415 RESOLVED that the minutes of the meeting held 16th October and 6th November 2014 be received and the recommendations therein be adopted.

8. **COMMUNITY, ENVIRONMENT AND SERVICES COMMITTEE**

CTC/43/1415 RESOLVED that the minutes of the meeting held on 2nd October 2014 be received and the recommendations therein be adopted.

9. **FINANCE & POLICY COMMITTEE**

CTC/44/1415 RESOLVED that the minutes of the meeting held on 23rd October 2014 be received and the recommendations therein be adopted.

10. **URGENT ITEMS**

No urgent items were raised.

11. **YOUTH COMMITTEE**

CTC/45/1415 RESOLVED that the minutes of the Junior Council meeting held on 11th November 2014 and the Junior Council held on 25th November 2014 be received.

An update from the Youth Committee Chairman on the presentation of the Report to Fiona Bruce M.P in Parliament was considered.

The Youth Committee provided a report on their visit to the Houses of Parliament where they met Fiona Bruce M.P. During their visit they expressed concern about a number of transport issues which the M.P stated she would take up with Cheshire East Council. They also discussed how to persuade young people to volunteer and participate more in what goes on in the Town. They intend to organise a careers fair for all of Cheshire East. The Youth Committee thanked the Town Council for its support in financing the visit to Parliament.

12. **CHRISTMAS OFFICE HOURS**

A report on arrangements for the close down of the Town Hall office during the Christmas and New Year period was considered together with arrangements for Streetscape cover.

CTC/46/1415 RESOLVED that the report be received and arrangements noted.

13. **PRECEPT 2015-16**

A report on the budget and precept management for 2015-16 was considered. It was pointed out that there would be a nil increase on the precept insofar as rate payers are concerned.

Budget Expenditure Powers 2015-16

<u>Expenditure</u>	<u>Power</u>	<u>£</u>
Police Community Support Officers	S 31	47,200
Other Grants and Donations	S 137	21,483
Citizens Advice Bureau	S 142	15,000
Christmas Lights	S 144	9,000
Congleton Community Projects	S 145	16,000
Museum Grant	S 144	4,500

As the Town Council adopted the Power of Competence, Localism Act 2011, ss 1-8 and agreed expenditure in the budget, identified above can also be approved via this power.

CTC/47/1415 RESOLVED that:-

1. That the revenue and capital budget for 2015-16 as set out in Appendix 1 of the Budget report, be approved.
2. That the budget expenditure powers be approved.
3. A precept of £665,630 be approved for 2015-16.

D Murphy

TOWN MAYOR

Questions from Member of the Public

Question to the Town Mayor, Cllr D Murphy from Mr G Goodwin

The Town Mayor has responded to the points raised by Mr Goodwin in italics below each issue.

You will be well aware that there are a significant number of still unanswered questions on the subject of the commission and purchase of the Digital Display Unit. I am aware that a verbal update on the situation will be given at the F and P meeting on 8th January 2015 but I would request that you provide clear and comprehensive answers to the following specific questions. In asking these questions I am aware that I have provided you with the statutory notice required under Standing Orders

The questions are:-

- It has been reported that Councillor Martin was the Councillor responsible for re-establishing contact with Simnet and she was reported as saying that the contact was through family connections Could the council provide a full and detailed clarification of Councillor Martin's relationship with Simnet and its directors together with an explanation how Simnet were first introduced to the council and by whom?

The Town Council did not direct Cllr Martin to establish contact with SimNet, therefore the Town Council is not in a position to provide any more detail on this particular subject.

However, there is obviously some misunderstanding on one point which I can clarify, which relates to Cllr Martin's relationship with SimNet, in that there is none. Cllr Martin had contacted a relative of the proprietor of SimNet, not a relative of hers.

- I have received confirmation from the Town Clerk that the intended manufacturer of the DDU is the Slovenian company, Infinitus. I have contacted Infinitus and have established that they are NOT manufacturing a unit for Congleton Town Council or for Simnet. There has been no indication to council that Simnet had changed manufacturer and, if this had been the case, this would have to have been subject to a detailed report on the reasons and cost implications of such a change to allow the change to be considered and sanctioned by council Could the Council clarify how this can be the case

We have not been informed that the intended supplier has changed. But, the supplier of the unit is only one part of the total solution being provided and in many respects the source of the unit in that sense is not important.

- In the report provided to council the Town Clerk stated that Simnet were the only company who could fully comply with the council specification requirements. Whilst this statement has already been proved to be erroneous since there are many companies who can provide the necessary service, would the council firstly confirm that such a specification document does exist and, if so, publish the specification document against which Simnet provided their tender so that it may be inspected to confirm that it was appropriate and robust.

The specification is included with the response to the questions raised.

- When the decision was made to commission Simnet as the sole tenderer, can the council confirm what measures were taken to ensure that the price quoted by Simnet was competitive and that it provided value for money for the residents of Congleton. I have established cost information from a range of sources which would indicate that the Simnet price was not good value for money but presumably the council would have carried out value for money checks at the time to justify the single tender purchase. Would the council confirm the details of such checks?

This question has already been answered and explained in the response given to the Finance and Policy committee in a report dated 23rd October 2014.

However as an additional point, generally digital hardware suppliers do not provide content design as they assume that you either have in an in house design studio with graphic designers or deal with advertising studios that provide adverts and other materials in jpeg format. It should be noted therefore, that the Town Council has none of these facilities and what SimNet were providing was to bridge this gap by providing content design facilities with functionality and pre-formatted pages not dissimilar to how the website has been produced for the Town council.

Mr T Harker submitted the following Questions

- 1. It has been established that Councillor Martin was the individual who renewed contact with Simnet in November. The council should FULLY explain Councillor Martin's role in the entire issue throughout including any contact she may have had prior to the order being placed with Simnet.

Already answered in response to Mr Goodwin.

- 2. Have there been any other incidents, other than the DDU, where the purchase of expensive items has not followed the appropriate Financial Regulations.

No.

- 3. Recent correspondence in the Chronicle indicates that the company in Slovenia, Infinitus, who were reported to be the manufacturers of the unit, have confirmed that they are not manufacturing a unit for Congleton.

Already answered in response to Mr Goodwin.

Specification Digital Display Unit

1. The Town Council has been concerned for some time at the lack of public response to the various initiatives undertaken by the Council which leads to very few residents taking part and expressing their views on a wide variety of issues effecting how people live, work and enjoy leisure activities in and around the Town.
2. In order to address this issue in an impactful and highly visible manner we are intending to purchase a Display Unit.
3. Company must be capable of supplying and coordinating a solution for the provision of the necessary software, content design, maintenance, on-going training and support and provision of hardware.

Specification

1. To present digital information in an innovative and interactive manner.
2. Information to be presented and up dated in real time with live updates
3. Capable of being updated remotely from Town Council Offices
4. Requirement for multi display screen containing visual and moving graphics
5. The screens are intended to run full motion video and animation
6. Robust vandal proof unit suitable for outdoor use
7. Capable of handling multi visual high quality adverts
8. High Definition portrait LCD screens
9. Creating multiple video files which are scheduled to play next to each other.
10. Provide content management programming capable of:-
 - a. Providing facilities to make it quick and easy to change the content and timings of the display on demand.
 - b. Displays to be configured to show a timed slideshow containing any combination of messages, images, HTML pages and dynamic listing information.
 - c. The content design tools to be installed on a number of user workstations as required, providing the relevant staff with the tools they need to manage the screen's content on a day-to-day basis without leaving their desks
11. Programming and maintenance costs to be clearly identified
12. Ongoing support and training costs to be specified

Location

Unit to be located outdoors and be in a highly visible and accessible manner to the public, therefore, it is proposed to site it in a prime position in the pedestrian area in Bridge Street, Congleton, where there is the highest level of footfall.

This type of equipment is used extensively by outdoor media advertising located in similar positions. The unit itself needs to be very robust and have been subjected to many tests including having bricks and other heavy objects thrown at them and survived intact.

Evidence of such testing must be provided.

Congleton Town Council

16.04.13

TOWN MAYOR'S ENGAGEMENTS

2014

5 th December	Buglawton School Christmas Fair
6 th December	Rotary Concert
13 th December	Carol Singing Town Centre
13 th December	Disabled Club Christmas Celebration
14 th December	New Life Nursery Nativity
16 th December	Cross Street Church Fellowship Christmas Dinner
18 th December	Town Carol Service – St Peter's Church

2015

8 th January	Eaton Bank Academy Presentation Evening
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DEPUTY TOWN MAYOR

20 th December	Presenting Prizes – Bull's Head
20 th December	Choral Society Concert

MAYOR'S CADET

14 th December	New Life Nursery Nativity
18 th December	Town Carol Service – St Peter's Church

2015

8 th January	Eaton Bank Academy Presentation Evening
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CONGLETON TOWN COUNCIL

MINUTES OF THE MEETING OF THE PLANNING COMMITTEE HELD ON 20th NOVEMBER 2014

PRESENT Councillor L. D. Barker - Chairman
Mrs. D. S. Allen
P. Bates
R. I. Brightwell
J.S. Crowther
G. P. Hayes
Mrs. S. A. Holland
Mrs. A. M. Martin
D. Murphy
Mrs. J. D. Parry
N. T. Price

The meeting was also attended by approximately 20 members of the public

1. **APOLOGIES**

Apologies for absence were submitted from Councillors G. Baxendale, Ms. L. Bours, D. T. Brown, G. R. Edwards, D. A. Parker, Mrs. E. Wardlaw, G. S. Williams and Miss R. K. Williams.

2. **MINUTES**

PLN/19/1415 RESOLVED: That the Minutes of the Meeting of the Committee held on 6th November 2014 be approved and signed by the Chairman as a correct record.

3. **DECLARATIONS OF INTEREST**

Members were reminded to declare both "non pecuniary" and "pecuniary" interests as early in the meeting as they become known.

4. **OUTSTANDING ITEMS**

There were none.

5. **PLANNING APPLICATIONS**

PLN/20/1415 RECOMMENDED: That the following comments be made to Cheshire East Borough Council:

Week ended 7th November 2014

14/4810C	55 West Street, Congleton, CW12 1JY	NO OBJECTION
Subject to Cheshire East ensuring that the height of the dwelling is in keeping and sympathetic with the surrounding properties		
Councillor Bates declared a "non pecuniary" interest in application 14/4810C		
14/5025C	114 Longdown Road, Congleton, CW12 4QT	NO OBJECTION

Week ended 14th November 2014

14/4938C Land West of Goldfinch Close, Congleton, CW12

A member of the public addressed the meeting with objections to application 14/4938C

REFUSE FOR THE FOLLOWING REASONS

Planning Application 14/4938C, 220 Dwellings

LAND WEST OF GOLDFINCH CLOSE, CONGLETON, CHESHIRE

The proposed development fails to comply with the CBC saved policies on a number of grounds and should be refused

1. PS8 Open Countryside

The proposed development is an inappropriate form of development within the Open Countryside and can only be permitted if it satisfies one or more of the eight criteria mentioned under policy PS8. The applicant may argue that the development satisfies PS8 (IV) which refers to controlled infilling, but, to meet this criteria also requires satisfying policy H6. Policy H6 states that new residential development will not be permitted unless it meets one or more of the criteria within this policy. The applicant may argue that it satisfies H6 (V) but this refers to limited development within the infill boundary line. A proposal for 220 dwellings cannot be described as infill, nor does it meet the criteria laid down for affordable housing H6 (VI) and H14

2. GR 19 Infrastructure

The proposed development would be contrary to the interests of highway safety as it would result in additional traffic using Canal Street which is already used at unacceptable levels. Indeed the policy requires applicants to make adequate provision for any infra-structure requirements which arise directly from the proposed development, but, has made no provision for improving the congestion being experienced in Canal Street which will be exacerbated by increased volumes of traffic emanating from the proposed development.

3. Repeat Application

The application is a repeat application.

Councillor Bates declared a "non pecuniary" interest in application 14/4938C

14/4964C	19 Beech Close, Congleton, CW12 4YL	NO OBJECTION
14/5076C	Tall Ash Cottage, 93 Buxton Road, Congleton, CW12 2DY	NO OBJECTION
Subject to Cheshire East Highways Officers conducting a site visit to ensure that safety concerns regarding the access are addressed, in particular the next door neighbours egress and visibility		

Councillors Bates, Hayes and Murphy declared a "non pecuniary" interest in application 14/5076C

14/5172C	112 Broadhurst Lane, Congleton, CW12 1LA	NO OBJECTION
14/4898D	30 Cross Lane, Congleton, CW12 3JX	NO COMMENT

Councillor Holland declared a "pecuniary" interest in application 14/4898D

All Councillors declared a "non pecuniary" interest in application 14/4898D as the applicant is a member of the Town Council

Additional Items

14/5104C	15 Ambleside Court, Congleton, CW12 4HZ	NO OBJECTION
14/5083C	49 Moss Road, Congleton, CW12 3BN	NO OBJECTION
14/5025C	114 Longdown Road, Congleton, 4QT	NO OBJECTION
14/5052C	1 Sweet Briar Court, Congleton, CW12 4GY	NO OBJECTION
14/5173C	Kings Arms, 1 High Street, Congleton, CW12 1BN	NO COMMENT

6. PLANNING APPEALS

The following Appeal was noted -

14/0659C – Forge Mill, Forge Lane, Congleton – 48 Dwellings – Hearing on 9th December 2014

7. CHESHIRE EAST LOCAL PLAN

Mrs. J. Unsworth of Protect Congleton addressed the meeting followed by statements from several member of the Town Council regarding the Local Plan. It was

PLN/21/1415 RESOLVED – To request the Town Clerk to write to the Prime Minister outlining the concerns and requesting the attendance of a Minister in Congleton.

L. D. Barker (Chairman)

CONGLETON TOWN COUNCIL

MINUTES OF THE MEETING OF THE FINANCE AND POLICY COMMITTEE HELD ON THURSDAY 27th November 2014

PRESENT

Councillors Mrs D S Allen
 P Bates
 G Baxendale
 R I Brightwell
 D T Brown
 J S Crowther
 G R Edwards (Chairman)
 G P Hayes
 Mrs. S A Holland
 Mrs A M Martin
 D Murphy (Town Mayor)
 D A Parker
 Mrs J D Parry (Vice Chairman)
 N T Price
 Mrs E Wardlaw
 G S Williams

1. APOLOGIES

Apologies for absence were received from Cllr L D Barker.

2. MINUTES

FAP/32/1415 RESOLVED that the Minutes of the Meeting of the Committee held on 23rd October 2014 be agreed and signed by the Chairman.

3. DECLARATIONS OF INTEREST

Members are requested to declare both "pecuniary" and "non-pecuniary" interests as early in the meeting as they become known.

Cllr P Bates declared a non-pecuniary interest in all parts relating to item 5.

Cllr G Baxendale declared a non-pecuniary interest in any items relating to Cheshire East and Congleton Community Projects.

Cllr R Brightwell declared a non-pecuniary interest in item 14.

Cllr J Saville Crowther declared a non-pecuniary interest in any item 13.

Cllr G R Edwards declared a non-pecuniary interest in the item relating to the Citizen's Advice Bureau.

Cllr G Hayes declared a non-pecuniary interest in Congleton Community Projects. And items 13 & 16.

3. DECLARATIONS OF INTEREST continued.....

Cllr A Martin declared a non-pecuniary interest in the item relating to the Citizen's Advice Bureau.

Cllr D Murphy declared a non-pecuniary interest in all parts relating to item 5.

Cllr D A Parker declared a non-pecuniary interest in any items relating to Congleton Community Projects.

Cllr N Price declared a non-pecuniary interest in any items 15 & 16

Cllr G Williams declared a non-pecuniary interest in all parts relating to item 5 and items 13 & 14

4. OUTSTANDING ACTIONS

There are no outstanding actions.

5. LARGE GRANTS

- Citizens Advice Bureau (CAB)

Liz Shaw of the Citizens Advice bureau provided an overview of activities undertaken by the CAB in Congleton and pointed out that they have drop in sessions on Tuesday, Wednesday and Friday mornings, as well as appointments with specialist caseworkers.
The top 5 enquiry areas are debt, employment, housing, relationships and benefits.

- Congleton Community Projects

Jo Money provided an update on the projects being undertaken by Congleton Community Projects, illustrating that the activities of Community Projects dovetailed in with the Town Council's Business Plan.

Many of the events currently enjoyed in the Town are produced by Congleton Community Projects which include the Christmas Lights Switch On, the Food and Drink Festival, the Jazz and Blues festival and others.

- The Congleton Partnership

Steve Foster of The Congleton Partnership illustrated the enormous number of projects that have been undertaken successfully by The Partnership and pointed out that without support from the Town Council, The Partnership would have a funding deficit of £23,396 in 2015-16.

In the period Jan-Sept 2014, volunteers contributed 2100 hours to events and projects in the Town.

6. GRANT APPROVALS AND COMMITMENTS

A summary of grant approvals and commitments was considered by the Committee and it was noted that £11,094 is available for grants in 214-15.

FAP/33/1415 RESOLVED that the grant summary be received.

7. NEW APPLICATIONS FOR FINANCIAL ASSISTANCE

FAP/34/1415 RESOLVED that:-

i. GR 18/1415 – Congleton Choral Society

A grant of £250 to be approved.

ii. GR 19/1415 – Congleton Harriers

A grant of £250 be approved, subject to the Town Council being able to nominate where any charitable donations are distributed to, to the value of £250

8. NEW GRANT ACTIVITIES MONITORING FORMS

There are no new Grant Activities Monitoring forms.

9. LETTERS OF THANKS

Letters of thanks were received from St Peter's Church and Congleton Building Preservation Trust.

10. MANAGEMENTS ACCOUNTS FOR APRIL 2014 – OCTOBER 2014

FAP/35/1415 RESOLVED that the Managements Accounts for October 2014 be received.

11. BANK RECONCILIATION

FAP/36/1415 RESOLVED that the bank reconciliation for October 2014 be approved.

12. LIST OF PAYMENTS

FAP/37/1415 RESOLVED that the Payments List between 1st to the 31st October 2014 be approved.

13. THE CONGLETON PARTNERSHIP

The Committee considered a request from The Congleton Partnership to release the funds earmarked for them for this financial year.

FAP/38/1415 RESOLVED that the funds ear marked in 2014-15 for The Congleton Partnership amounting to £14,000 be released.

14. VALE ALLOTMENTS

Peter Aston of the Sustainability Group provided an update on the proposal to acquire Vale Allotments. The Community Right to Buy gives the group an option to make an offer for the Allotments up until 25th April 2015, but, the owner has the right to reject any such offer. The group is in the process of raising funds and will hope to make an offer via Beartown Foods.

FAP/39/1415 RESOLVED that the Town Council support the aspirations of the group and encourage them to request group support for the project from the Town Council.

15. AMENDMENT TO FINANCIAL REGULATIONS

This item was withdrawn to allow time for the Working Group to consider some further amendments.

16. SIMNET

The Town Clerk provided a verbal report on the current situation with SimNet, whose proprietor has stated that he is working hard to ensure the unit ordered is supplied early in the New Year.

17. BUDGET 2015-16

The draft budget for 2015-16 was considered. The Town Clerk pointed out that the Rate Support Grant had been reduced less than previously notified by Cheshire East Council.

In addition, there had been a refund from Cheshire East Council for some of the overspend in horticultural supplies.

The effect of this was to reduce the shortfall in the budget from £28,735 to £15,676.

FAP/40/1415 RESOLVED that the budget be recommended for approval in the Town Council meeting with the following amendments:-

1. £15,676 to be absorbed into efficiency savings in the budget.
2. Precept payable by rate payers to be kept to a zero increase.

Mr. G.R. Edwards
Chairman

Congleton Town Council

Minutes of the meeting of the Youth Committee held on Thursday 4th December 2014 in the Town Hall, Congleton

PRESENT Youth Councillor Joseph Hearson (Chairman)
Matthew Jones
Tom Heyes
Sophie Hammond
Bella Statham

Councillor George Hayes
Councillor Liz Wardlaw
Linda Minshull

1. APOLOGIES

Apologies were received from Jamie Bernardi, Thomas Minshull and Zak Roberts

2. MINUTES OF LAST MEETING

RESOLVED – That the Minutes of the Meeting of the Committee held on 11th November 2014 were signed by the Chairman as a correct record.

3. YOUNG PERSON'S REPORT 2014

Linda updated the meeting that she had contacted Harriett at Fiona's office. She has contacted both High Schools and will confirm the dates for the Drugs Awareness sessions when they are agreed. She is also arranging for a meeting to discuss travel and will confirm the date when more details are available.

4. YOUTH COMMITTEE BANK ACCOUNT

It was reported that the balance is £488.92.

5. YOUTH COMMITTEE MEMBERS ITEMS

Social Meal

Details of the Christmas meal on 7th December were discussed.

Astbury Mere Trust

Bella confirmed that she would be attending a meeting of the Astbury Mere Trust on 10th December.

6. DATE OF NEXT MEETING

To be confirmed in the New Year.

Joseph Hearson (Chairman)

Congleton Town Council

Complaints Policy

1. The Importance of Complaints

- 1.1 Complaints are valuable because they provide a chance to put things right if there has been an error, and to make sure that the same mistake is not repeated.
- 1.2 It is essential that complaints be dealt with positively. The Town Council is anxious to hear people's comments and committed to making full use of complaints information to contribute to continuous service improvement. Important information about areas for improvement can be obtained both from a single complaint and from patterns of complaints, highlighted by detailed monitoring.

2. Definition of a Complaint

- 2.1 A complaint is any expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Town Council, Councillors, or its staff which affects the individual customer or group of customers.

2.2 What the complaints procedure will deal with:

The complaints procedure will deal with matters of maladministration, which is if the Town Council does something the wrong way, fails to do something it should do or does something it should not do. Some examples include:

- neglect or unjustified delay
- malice, bias, or unfair discrimination
- failure to tell people their rights
- failure to provide advice or information when reasonably requested
- providing misleading or inaccurate advice
- inefficiency, ineffectiveness, bad and unprofessional practice or conduct

2.3 What the complaints procedure will not deal with:

- complaints for which there is a legal remedy or where legal proceedings already exist

- Complaints about employment matters – the Town Council operates alternative procedures to deal with grievances/complaints or disciplinary matters against staff.

3. Equal Opportunities

- 3.1 The Town Council is committed to equal opportunities. Complaints feedback will be used to highlight discriminatory practices, and to promote equality of opportunity.
- 3.2 Complaints by members of the public of discrimination and/or harassment against the Town Council will be dealt with through the complaints procedure unless it is a complaint that should be dealt with through a statutory procedure.

4. Complaints Officer

- 4.1 The Complaints Officer for the Town Council is the Support Manager. The main duties are:
- (i) The day-to-day operation and management of the procedure, including providing a reference point for staff queries on informal complaints.
 - (ii) To oversee, and undertake where necessary, the investigation of formal complaints at the first stage, within the relevant time scales.
 - (iii) To maintain a record of all complaints received including details of the nature of the complaint, action taken, outcome, and time taken to resolve.
 - (iv) To provide a six monthly analysis of the type, category and number of formal complaints received by the Town Council.
 - (v) To identify improvement points arising from any complaints.
- 4.2 Certain types of complaint should be referred directly to the Town Clerk. Those to be dealt with by the Town Clerk will include complaints about the Support Manager. Should there be any complaints about individual Town Councillors, these must be dealt with in writing in the first instance and addressed to the Town Clerk and will then be considered by the Complaints Panel. This does not preclude, as an option, any complaint being directly referred to the Monitoring Officer of Cheshire East Borough Council or the Standards Board for England.

5. Stages of the Procedure

- 5.1 The stages of the procedure are designed to provide the complainant with a thorough and fair means of redress and to provide a framework for officers to work within.
- 5.2 It is vital however, that the Town Clerk remains clear of the process, until required at any second stage to ensure that their contribution is completely independent.

Everyday problems, queries and comments

- 5.3 The Council receives queries, problems and comments as part of its day-to-day running, and they should not all be regarded as complaints. These are routine and expected and are generally resolved quickly to the customer's satisfaction.
- 5.4 If someone is dissatisfied with the original service or response they received and wishes to take the matter further then the issue should be recognised as a complaint.

Informal Complaint

- 5.5 During the course of daily business, minor complaints are made to officers about the services we provide. The Support Manager will usually deal with these.
- 5.6 It is not appropriate for every comment to be treated as a formal complaint. Every effort should be made to deal with these problems immediately, either by providing information, instigating the appropriate action or explaining a decision.

Formal Complaint (Stage 1)

- 5.7 A customer may wish to make a formal complaint directly, or may be unsatisfied with the outcome of an informal complaint and may wish to take the matter further. This will be recorded as a complaint and passed to the appropriate officer to investigate.

Timescales Investigation completed – 21 working days
or Progress Reports issued – 21 working day intervals

Investigating Officer: Support Manager/Appropriate Officer

Review of Investigation and Complaint (Stage 2)

- 5.8 If the complainant is not satisfied with the Investigating Officer's response, they should be advised of their right to have the complaint referred to the Town Clerk who will review the complaint. This must be done within four weeks of the Support Manager's reply.

Timescales: Investigation completed – 14 working days
or Progress Reports issued – 14 working day intervals

Investigating Officer: Town Clerk

Complaints Panel (Stage 3)

- 5.9 If the issue remains unresolved, the complainant should be notified of his or her right to have the matter referred to a panel to consist of any three councillors with no prejudicial interest. This must be done within four weeks of the Town Clerk's reply. The outcome of all formal complaints dealt with by the Complaints Panel will be reported to the Personnel Committee.

Timescales: Panel convened within 14 working days
Investigation completed – 14 working days thereafter
or Progress Reports issued – 14 working day intervals

Investigating Body: Complaints Panel

6. Unreasonable and Vexations Complaints (see appendix A)

- 6.1 There will be circumstances when a complainant persists in wishing to proceed when it clearly has no reasonable basis, or when the Council has already taken reasonable action in response, or where some other process, whether through the courts or some other recognised procedure, should or has been taken.
- 6.2 These matters should be referred to the Town Clerk with a summary of the issues and of the attempts made to resolve the complaint. The Town clerk may, in such circumstances, decide that no further action can usefully be taken in response to the complainant, and inform the complainant so, making it clear that only new and substantive issues will merit a response.

7. Anonymous Complaints

- 7.1 Anonymous complaints should be referred to the Town Clerk, and may be dismissed at his discretion, according to the type and seriousness of the allegation.

8. Resolution and Remedies

- 8.1 The aim in dealing with all complaints is to reach a resolution for the complainant, whether it is the remedy they were originally seeking or not. Where a complaint is found to be at all justified, consideration may need to be given to the question of an appropriate remedy (the Town Clerk to make any final decision regarding remedy). An explanation or an apology will always be needed.

9. Contacts

Congleton Town Council

Town Hall
High Street
Congleton
Cheshire CW12 1BN

Mr B Hogan

Town Clerk
e-mail:
bh@congletontowncouncil.co.uk
Tel: 01260 270350

Mrs J Potts

Support Manager
e-mail:
jp@congletontowncouncil.co.uk
Tel: 01260 270350

Appendix A – Guidelines for dealing with unreasonable and unreasonably persistent complainants

This policy provides guidance on how the Council will decide which complainants will be considered unreasonable and unreasonably persistent complainants, and what actions the Council could take in these circumstances.

Definition of unreasonable and unreasonably persistent complainants

The Local Government Ombudsman defines unreasonable and unreasonably persistent complainants as **those complainants who, because of the frequency or nature of their contacts with an authority, hinder the Council's consideration of their or other people's complaints.**

These are some of the actions and behaviours of unreasonable and unreasonably persistent complainants:-

1. Refusing to specify the grounds of a complaint, despite offers of assistance with this from the Council's staff.
2. Refusing to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
3. Refusing to accept that issues are not within the remit of a complaints procedure despite having been provided with information about the procedure's scope.
4. Having insufficient or no grounds for their complaint and making the complaint only to annoy (or for reasons that he or she does not admit or make obvious)
5. Refusing to accept that the complaint is not within the remit of the Council, and they have no power to influence or change
6. Insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
7. Making what appear to be groundless complaints about staff or staff dealing with the complaint, and seeking to have them replaced.
8. Changing the basis of the complaint as the investigation proceeds and/or denying statements he or she made at an earlier stage.
9. Introducing trivial or irrelevant new information which the complainant expects to be taken into account and commented on, or raising large numbers of detailed but unimportant questions and insisting they are all fully answered.
10. Electronically recording meetings and conversations without the prior knowledge and consent of the other persons involved.
11. Adopting a 'scattergun' approach: pursuing a complaint or complaints with the Council and, at the same time, with a Member of Parliament / a councillor / the Monitoring Officer / the Standards Board / local police / solicitor.

12. Making unnecessarily excessive demands on the time and resources of staff whilst a complaint is being looked into, by for example excessive telephoning or sending emails to numerous council staff, writing lengthy complex letters every few days and expecting immediate responses.
13. Submitting repeat complaints, after complaints processes have been completed, essentially about the same issues, with additions/variations which the complainant insists make these 'new' complaints which should be put through the full complaints procedure.
14. Refusing to accept the decision – repeatedly arguing the point and complaining about the decision.

Report to Town Council on Internal Auditing

Thursday 15th January 2015

The Town Council has a statutory requirement to ensure that there is an adequate and effective system of internal audit of the Council's accounting, financial and other operations in accordance with Regulation 5 of the Accounts and Audit Regulations 2003 & 2006.

The Council has a responsibility to carry out a review of the effectiveness of internal audit on an annual basis in accordance with the Accounts and Audit Regulations 2003 and 2006

The Internal Auditor is required to carry out such work on behalf of the Council, with a view to the satisfactory completion of the Internal Auditor's Report section of the Annual Return as compiled annually by the External auditor. The Internal Auditor, who shall be competent and independent of the operations of the Council, shall report to the Council in writing on a regular basis with a minimum of one annual report in respect of each financial year.

Auditing Solutions Ltd has been providing the Town Council with auditing facilities for the past 7 years. They undertake 3 internal audits per annum and rotate staff who undertake such tasks on a regular basis in order to mitigate against familiarisation.

Recommendation

To appoint Auditing Solutions as Internal Auditors for 2015-16

Report to Town Council Meeting 15th January 2015

Neighbourhood Plan

The Neighbourhood Planning team has set itself a very ambitious target of completing the Plan within a time frame of about 6 months

To facilitate this process the team has been broken down into themed groups covering a number of key areas which include:-

Housing
Economic Development
Health/Education and Green Space
Transport/Utilities and Infrastructure
Town Centre/Public Realm and Heritage
Sustainability and Environment
Communication
Parish Liaison

1. Themed Groups

At the inaugural meeting of the neighbourhood Plan team, a considerable discussion took place on the make-up and composition of the themed groups, recognising that the groups were at the heart of the Neighbourhood Planning process. It was also recognised that as the groups work their way through the process there may be a need to change or combine such groups.

The themed groups are detailed below together with the proposed chairman, ideally group composition should consist of about 6 members:-

Housing	Economic Development	Health/Education/Green Space
Jenny Unsworth (Chairman)	David Watson (Chairman)	Robbie Brightwell
Mike Watson	Brian Hogan	Steve Foster
Gillian Kaloyeropoulos	Peter Aston	Ant Fryer
Laura Tilston		
Glyn Roberts		
David Brown		
Amanda Martin		
Transport/Utilities/Infrastructure	Town Centre/Public Realm/Heritage	Sustainability/Environment
Ant Fryer (Chairman)	Steve Foster (Chairman)	Peter Aston (Chairman)
Peter Minshull	Mike Warke	Peter Minshull
Peter Hall	Jackie Mac Arthur	Jack Swan
	Glyn Roberts	Amanda martin

Communication	Parish Liaison	
Tim McCloud (Chairman)	Jenny Unsworth	
Jackie MacArthur	David Brown	
Gillian Kaloyeropoulus		
Amanda Martin		
Brian Hogan		

a. Sustainable Development

It was noted that there is a need to ensure that there is clear recognition of the principles of sustainable development within every group.

b. Duty to Cooperate

There is a duty to cooperate with other parishes and to facilitate this a liaison group has been set up

c. Communication Strategy

A comprehensive communication and consultation strategy needs to be in place to ensure that the public and others are kept fully informed of progress and when consultation is to take place. Venues for consultation should vary and could include the Town Hall, churches, Artisan Market and other suitable venues to engage with the public.

A dedicated email address for Neighbourhood Panning has been set up via the Town Council

d. Reporting

The Themed Groups will report back to the Steering Group via the chairman

e. Objectives

Each group will produce a set of objectives; to facilitate this process Andrew Thomson will circulate a reference framework. Andrew will also provide support to the groups

f. Evidence

Every aspect of the work undertaken by the groups needs to be evidence based, much of which should come from Cheshire East Borough Council

2. Steering Group

The Steering Group, whilst not as important as the themed groups, nonetheless has an essential role to play in coordinating the work of the themed groups and providing direction and support to them. The Steering Group currently consists of the following members:-

Andrew Thomson (Planning consultant)

Peter Aston	Paul Bates
David Brown	Bob Edwards
Steve Foster	Tim McCloud
Glyn Roberts	Laura Tilston
Jenny Unsworth	David Watson

3. Support

Cheshire Community Action provides support for the Neighbourhood Planning Team via a planning Consultant who is Andrew Thomson. Andrew is supporting each of the themed teams as well the Steering Group. Cheshire Community Action will provide 20 days of consultancy support via this process.

Cheshire East Borough Council will support the teams by providing much of the information required for the evidence base.

Further Support

With six themed teams operating the amount of free consultancy support will soon become exhausted and will need to be supplemented by the Town Council, the cost of additional consultancy days are £324 per day. In addition there will be a range of publicity material required to be produced and distributed in order to ensure that the public are properly kept informed of progress and of the opportunities to be consulted with.

Whilst most meetings will take place on Town Hall premises a charge needs to be made to cater for room hire costs incurred

The Town Council has an ear marked reserve of £42,500 for the Neighbourhood Plan and it is proposed that £8,500 is released to facilitate production of the Plan. Expenditure will be reported to each meeting of Finance and Policy.

A request for grant support is also being made to **My Community Rights** a government grant for **Supporting Communities in Neighbourhood Planning**. It is likely that such support, if successful, will amount to £3000 to £4000.

Recommendation

To release £8,500 from the EMR of £42,500 to facilitate production of the Neighbourhood Plan

Brian Hogan
05.01.15

Cheshire Community Action **Neighbourhood Planning Support for** **Towns and Parishes in Cheshire East**

Cheshire Community Action (CCA) has been commissioned by Cheshire East Council to provide support to Towns and Parishes producing Neighbourhood Plans.

What is included in the support?

Under the contract CCA can provide up to **20 days of technical support time** to each Town or Parish that are included in the support package.

The support package includes:

- A **community profile report** that details statistics specifically for their area
- A copy of the **CCA Neighbourhood Planning Toolkit** with a suite of guides that help groups navigate through the process.
- **Networking with other Neighbourhood Planning Groups** – CCA will organise periodic engagement of the wider group of 'front runner' communities.
- **CEC engagement:** to act as point of contact between ward members, CEC officers and communities.
- **Submission of Neighbourhood Area application to CEC:** Where this has not been done already CCA can advise communities on preparation of application, reasons for plan preparation, reasons for neighbourhood area and hold informal pre-consultation with CEC.
- **Help producing a project plan:** CCA can offer each community assistance with a project plan which will help keep track of progress and stick to timescales.
- **Community Engagement:** CCA will help communities identify the issues; including early engagement and informal consultation and promotion. We will also help groups design appropriate, consistent engagement and consultation methods throughout the process ensuring that all sectors of the community are engaged at an early stage including local land owners and development interests.
- **Identify Vision and Objectives:** CCA will help communities to articulate a vision for the neighbourhood and how this relates to the objectives of the plan. This stage should demonstrate the key priorities of the plan and articulate its intention to review and build on the plan once adopted.
- **Preparation of background material/evidence:** CCA can guide communities on compiling a full suite of appropriate and proportional evidence to support policies and allocations within the plan.

- **Report of consultation:** CCA will help communities to collect, analyse and report on consultation outcomes. CCA will communities manage the data analysis by efficient use of survey techniques including e-surveys.

***NB:** This support package does not include collation of hard copy data from consultations. Communities will be expected do their own data entry where necessary. However, CCA can guide communities on how best to manage this part of the process, recruit volunteer help and ultimately analyse the results ready for evidence reports. If communities are struggling with this element they can approach CCA outside of this support package to negotiate further paid support for data processing.*

- **Policy formulation:** CCA will help formulate policies to meet the Plan's vision.
- **Site Selection and developer/landowner engagement:** where desired by a community CCA can support site selection; call for sites; promote consistent mapping tools; establish appropriate selection methodology and; support community selection processes. Ensure local land/developer interests are informed and invited to the process.
- **Identify alternative options:** it is preferred by CEC that alternatives are tested through a sustainability appraisal exercise. CCA and CEC will guide groups through this process.
- **Sustainability Appraisal (SA):** SA is not necessary as per neighbourhood planning regulations however the process is expected to be undertaken to demonstrate a 'sound' approach to plan formation, in particular on assessing alternative options. This will require use of an established methodology (informed by the Sustainability Appraisal of the Local Plan) and support for communities to undertake the work. CCA and CEC will guide assessment to at relevant stages.
- **Production of draft Plan for consultation:** CCA will provide support for communities to finalise and produce a draft plan, specifically advise on plan content and the consultation process. *Printing costs, distribution etc will be the responsibility of the community.*
- **Strategic Environmental Assessment:** CCA and CEC will guide communities on submission of a draft plan to CEC for Strategic Environmental Assessment where appropriate: this may not be a full draft plan but where it is clear that a plan is likely to require SEA screening, early submission to CEC will be necessary. CCA will assist in sourcing appropriate support, however, responsibility lies with CEC to appoint additional support here.
- **Submit plan to CEC for examination –** CCA will support communities to get ready for their submission to CEC for independent examination. The submission plan must meet the criteria set out in the Neighbourhood Planning regulations.