

# Congleton Town Council

Minutes of the meeting of the Council held on Thursday 20th August 2009 in the Town Hall, Congleton.

**PRESENT:** Councillors E Clarke (Town Mayor)  
D Brown (Deputy Town Mayor)  
C R Anstice  
N J Bayley  
G Baxendale  
Mrs L Bossons  
G R Edwards  
D Martin  
L J McGarry  
P H Mason  
D Murphy  
D A Parker  
P C Smith  
A R Thwaite

Councillor D Murphy led prayers in the absence of the Mayor's Chaplain.

## **1 APOLOGIES**

Apologies for absence were received from Councillors: R Boston, Mrs L Daniels, Mrs S A Holland, Mrs J Whitehurst and Miss R K Williams.

The Town Clerk informed the Council of the recent bereavement sustained by Councillor Mrs L Daniels and Members asked that a letter be sent conveying their sincere condolences.

## **2. RESIGNATION OF MEMBER**

With the permission of the Town Mayor, Councillor L Mc Garry addressed the Council and submitted his resignation in writing to the Town Clerk. At that point the resignation became effective immediately and the Town Mayor thanked Mr Mc Garry for his past service. Mr Mc Garry then left the meeting.

The Town Clerk reported that a casual vacancy now existed in the office of Councillor for the South Ward and explained the procedure for filling the vacancy. In the event of the vacancy falling to the Town Council for co-option, it was agreed that the Members Panel appointed at the Annual Meeting should deal with the matter in accordance with established practice and submit a recommendation to Council in due course.

## **3 MINUTES**

**CTC/32/0910 RESOLVED** – That the Minutes of the meeting of the Council held on 25th June 2009 be approved.

#### **4. DECLARATIONS OF INTEREST**

Members were reminded to declare both “personal” and “personal and prejudicial” interests as early in the meeting as they become aware of it.

Councillors G Baxendale, D Brown, P Mason and A R Thwaite declared personal interests in all items relating to Cheshire East Council matters, particularly Item 20- Car Parking charges.

Councillors G Baxendale, E Clarke and D Parker declared “personal” interests in Item 18-Congleton Community Projects Trust.

#### **5. MAYOR’S ANNOUNCEMENTS**

The Town Mayor drew attention to various engagements he and the Mayoress had fulfilled since the last Council Meeting.

Arising from this Item, a vote of thanks was given to Councillors Mrs S A Holland, D Martin and Mrs J Whitehurst for their considerable efforts in connection with the organisation of the Summer Ball on Friday 10<sup>th</sup> July 2009 in aid of the East Cheshire Hospice Appeal.

#### **6. CASUAL VACANCY-NORTH WEST WARD**

**CTC/33/0910 RESOLVED-** a) That, on the recommendation of the Members Panel appointed to deal with this matter, Mr C Nield be appointed to fill the casual vacancy of Councillor for the North West Ward until the date of the next ordinary elections for the Town Council in 2011.

b) That Councillor C Nield be appointed to replace Councillor P Smith as a member of the Amenities and Services Committee for the current civic year..

#### **7. OUTSTANDING ACTIONS**

There were no items to report.

#### **8. PUBLIC QUESTION TIME**

The following question was put to the Town Mayor by Mr K Norman on Behalf of Sandy Lane action group:-

“Thank you for providing the three documents following my question at the meeting held on 25<sup>th</sup> June 2009.

We have studied the relevant sections of these documents and have made our comments available to the Town Council.

We have not been able to identify any factual evidence which we would expect to see in support of your decision to establish a 15 hectare employment site.

We note however that in the of ‘Congleton in Transition’ report, (introduction section 1.4 page 9) it states “ Through undertaking a detailed analysis of the Town Centre, Congleton partners have become increasingly aware of the need to look at wider Congleton town area in terms of driving forward the economic prosperity of its residents.

The detailed analysis is not referenced within the report and has not been made available to us.

Our question therefore is:

Will the Town Council make available all of the detailed analysis documents referred to in its report ”

The Town Mayor responded as follows:-

“Congleton In Transition was of course written on behalf of Congleton Partnership and the Town Council by duly appointed Consultants. As part of their commission, they undertook the necessary research. The Town Council did not directly source reference documents nor did they retain copies of them.

The answer is that the Town Council can only make available information which we hold, and in accordance with our Publication Scheme”

In accordance with Standing Orders, Mr Norman asked a supplementary question as follows:-

“Given that the Town Council has not been able to provide the factual evidence on which you have based your decision of 25<sup>th</sup> June to establish a 15 hectare employment site to the west of Congleton Town, it is clearly apparent that there is no justification for this site.

We therefore ask the Town Council to withdraw its support for this ill conceived employment site, and delete project number 4 from its ‘Congleton in Transition’ document.

We will be pleased to see confirmation that you have done so.”

In response, the Town Mayor asked the Town Clerk to advise the Council who recommended reference to the Community and Environment Committee for consideration and report. This was agreed.

## **9. CHESHIRE EAST COUNCILLORS REPORTS**

Standing Orders were suspended to allow Councillors from the principal authority to report on relevant issues. Councillor A R Thwaite reported on the present position in respect of the scrutiny of the voluntary services in Cheshire East, particularly Citizens Advice bureaux. Councillor P Mason gave details of the representations made by Cheshire East to The Local Government Boundary Committee in respect of proposed boundary changes.

## **10. PLANNING COMMITTEE**

**CTC/34/0910 RESOLVED** – That the Minutes of the meetings of the Planning Committee held on 9<sup>th</sup> and 30<sup>th</sup> July 2009 be received.

## **11. PERSONNEL COMMITTEE**

**CTC/35/0910 RESOLVED-** That the minutes of the meeting of the Personnel Committee held on 23rd June 2009 be received and the recommendations contained therein be adopted, with the exception of Minutes PERS/5/0910 and PERS/6/0910 which were referred back at the Council Meeting on 25<sup>th</sup> June 2009 for further consideration.

## **12. ACCOUNTS**

### **CTC/36/0910 RESOLVED –**

1. The Council approve the payment of the accounts listed in Appendix A
2. The Council approve payment of any expenditure agreed at the Meeting.

## **13. URGENT MATTERS-Members Items**

No matters raised under this Item.

## **14. YOUTH COMMITTEE/JUNIOR COUNCIL**

**CTC/37/0910 RESOLVED-** a) That the minutes of the meeting of the Youth Committee held on 6<sup>th</sup> July 2009 be received.

b) That the letter from Great Boughton Parish Council dated 24<sup>th</sup> July 2009 with reference to a meeting attended by Town Council/Youth Committee representatives on 13<sup>th</sup> July, be received and noted.

In response to a question on the constitution of the Youth Committee, the Town Clerk advised that a report would be prepared for consideration at the next meeting.

## **15. CHESHIRE EAST COUNCIL ISSUES**

**CTC/38/0910 RESOLVED:** a) That, arising from consideration of a letter dated 23<sup>rd</sup> July 2009 relating to Town / Parish Council representation on the Congleton Local Area Partnership, Councillor N J Bayley as Leader of the Council be nominated for membership.

b) That the Portfolio Holder for Performance and Capacity be requested to consider the question of youth representation on LAP's

Council also noted that The Leader of the Cheshire East Council ( Councillor W Fitzgerald) would be visiting Congleton on the 9<sup>th</sup> and 10<sup>th</sup> September 2009 and would be based in the Town Hall for meetings and discussions with Cheshire East Councillors representing Congleton Wards and Town Council members and officers.

## **16. CHESHIRE ASSOCIATION OF LOCAL COUNCILS-ANNUAL MEETING**

**CTC/39/0910 RESOLVED-** That the Town Mayor and Councillor D Murphy be appointed to represent the Council at the AGM to be held at Middlewich Civic Hall on Thursday 22<sup>nd</sup> October 2009.

## **17. ASTBURY MERE TRUST**

**CTC/40/0910 RESOLVED-** That Councillor N J Bayley be appointed to serve as Trustee. ( Councillor G Baxendale declared a personal interest in this item)

## **18. CONGLETON COMMUNITY PROJECTS TRUST**

**CTC/41/0910 RESOLVED-** That Councillors D Brown, Mrs S A Holland, A R Thwaite and a member of the Youth Committee be appointed to meet representatives of the Trust for discussions on future working arrangements

## **19 AMEMDMENT OF STANDING ORDERS**

**CTC/42/0910 RESOLVED-** That, arising from Minute CTC/18/0910 dated 25<sup>th</sup> June 2009, the proposed amendment of Standing Orders now submitted by the Town Clerk to allow public speaking at Planning Committee meetings, be approved and adopted.

## **20 CAR PARKING CHARGES**

Council considered:-

- a) The formal consultation on the draft Cheshire East Borough Council (Off Street Parking Places) (Congleton Area) Order 2009.
- b) A report on the Public Meeting held on 6<sup>th</sup> August 2009.
- c) The report of the Task and Finish Group containing a recommended response to the proposals.

Following considerable debate on this issue during which a considerable number of suggested additions to the response were discussed, it was

**CTC/43/0910 RESOLVED-** a) That the report now submitted by the Task and Finish Group be approved as the Town Council's interim response to the proposals, but that the Group be asked to develop a case for what the Town Council would like to see in Congleton should Cheshire East decide to go ahead with the introduction of car parking charges.

b) That Cheshire East Council be informed that, if approval is given in the near future, civil enforcement of on street parking and off street parking charges should be introduced simultaneously and that this should not occur until after the end of the Christmas/New Year trading period.

c) That the comments now made by various members and noted by the Town Clerk be taken into account by the Task and Finish Group in developing the Council's case.

d) That the final submission be approved by the Town Mayor and the Leader of the Council.

## **21. CALENDAR OF MEETINGS 2009/10**

This item was withdrawn by the Town Clerk.

## **22. URGENCY PROCEDURE**

Council noted the action taken by the Town Mayor and Leader of the Council to authorise the Town Clerk to submit an application to Cheshire East Council for planning permission in respect of the promotional sail banners to be fixed to various lighting columns in the Town.

## **23. RESOLUTION TO EXCLUDE THE PRESS AND PUBLIC**

**CTC/44/0910 RESOLVED:** That the Council resolve to exclude the press and public under the Public Bodies (Admission to Meetings) Act 1960, for the matters set out below on the grounds that they could involve the likely disclosure of private and confidential information or staff matters.

**PART TWO –ITEMS CONSIDERED IN THE ABSENCE OF THE PRESS AND PUBLIC**

**24. APPOINTMENT OF FULL TIME TOWN CLERK**

The Chairman of the Personnel Committee submitted the unanimous recommendation of the Committee in respect of the appointment following final interviews at a meeting held on the 18<sup>th</sup> June 2009. The minutes of the meeting were also submitted.

**CTC/45/0910 RESOLVED-** That the minutes and recommendations now submitted be approved and adopted.

**25. TOWN COUNCIL BADGES**

Arising from minute CTC/22/09/10 dated 25<sup>th</sup> June 2009, the Town Clerk sought clarification on the arrangement for the supply of badges as discussed at the last meeting.

**CTC/46/0910 RESOLVED-** That the badges be supplied free of charge to Town Councillors, but remain the property of the Town Council to be returned upon vacation of office.

ERNEST CLARKE  
MAYOR

