

## **MINUTES OF THE MEETING OF BIDDULPH TOWN COUNCIL HELD ON TUESDAY 9 JULY 2019**

The Town Crier introduced the Town Mayor, Deputy Mayor and Chief Officer and led attendees in a time of prayer.

### **PRESENT**

The Mayor Councillor Davies  
The Deputy Mayor – Councillor Jones  
Councillor Baddeley  
Councillor Barlow  
Councillor Brady  
Councillor Garvey  
Councillor Hall  
Councillor Harper  
Councillor Hart  
Councillor Hawley  
Councillor Jackson  
Councillor McLoughlin  
Councillor Perkin  
Councillor Redfern  
Councillor Rogers  
Councillor Salt  
Councillor Sheldon  
Councillor Smith  
Councillor Swift  
Councillor Yates

### **13.19 PUBLIC PARTICIPATION**

*The meeting to adjourn for up to 20 minutes (Standing Order 1d-f) to allow for public participation. Residents are invited to give their views and question the Town Council on issues on this agenda or raise issues for future consideration at the discretion of the Mayor. Members of the public wishing to raise issues which are not on the Agenda should notify the Chief Officer five working days before the meeting. Members of the public may not take part in the Council meeting itself.*

#### **a) Standing item (for discussion as necessary)- Policing in Biddulph.**

PCSO Peake reported a decrease in anti-social behaviour, but that a spike was expected during the six-week school holidays. Officers had been into schools to explain action which would be taken and that there would be 'zero tolerance'. There had been a slight increase in theft from and of motor vehicles and burglaries. Other crimes committed were below average in terms of numbers.

Councillor Jones raised concerns about a van seen on Biddulph Moor.

Councillor Yates raised concern about parking on zig-zag markings.

*Councillors Hart and Sheldon left the meeting before the following item and returned afterwards.*

**b) Item requested by resident, Tim Sproston, 'Biddulph's response to the recent Local Plan meeting on 26th June 2019'**

Angela Sproston attended the meeting; papers about sites BD062, BD068 and BD087 including mapping were tabled and Mrs Sproston gave details.

Councillor Redfern asked why there was no mention of the other sites i.e. the Victoria Row site. Mrs Sproston replied that they had concentrated on sites that their action group had covered.

Councillor Davies thanked Mrs Sproston for the presentation and noted that there would be discussion on this subject at a later point on the agenda – Reference Minute 20.

**c) Standing item- County Council issues**

Councillor Flunder thanked those Councillors who had attended a recent 'walkabout' he and David Rushton (County Highways) had led. He would try and arrange another meeting for those who had been unable to attend.

Councillor Flunder noted that he may have funding for a smaller scale South View project. The Community Fund had been drastically reduced, but there was still £2500 available.

Councillor Jackson asked about grass cutting; could all areas in Biddulph be cut at the same time? Councillor Flunder responded that David Rushton had noted that some areas in Biddulph had dropped off the schedule, these had been reinstated. Councillor Jackson requested that all areas in the schedule are cut in the same week.

Councillor Jackson noted that the Meadows site was now up for sale; would it be possible to find out what went on and why Aldi had pulled out? Councillor Jackson felt it was disingenuous that elected members had not been informed by the County Council before it had been reported on social media. Councillor Flunder noted that companies had been bidding against each other; he and County Councillor Lawson would be told when the next meeting would be held.

Councillor Jones asked how much had been saved by not cutting the grass. The Town Council Lengthsman had already cut some of these areas; costings would be helpful. Councillor Flunder responded that some sites had been missed off and were now back on the schedule.

Councillor Yates had been unable to attend the walkabout and had sent a list of points; one being Lyneside Road where sewage pipes were being replaced, residents could not remember resurfacing taking place.

Councillor Redfern had raised an issue about the lack of signage at the mini roundabout on Park Lane.

Councillor Rogers added that the grass would no longer be collected on the Church Road playing fields, but a blower would now be used.

**14. APOLOGIES**

Apologies for absence and reasons accepted were received from:

Councillor Adams

Councillor Rushton

## **15. DECLARATIONS OF INTEREST**

- a) To declare any Disclosable Pecuniary Interests & Dispensations: Councillor Sheldon in anything pertaining to Biddulph in Bloom. Reference Minute 13b- Councillor Hart site specific residential in Biddulph and Councillor Sheldon (both left the room during discussion of the item). Minute 21 Councillor Jones – Chair of Biddulph Grange Country Park Friends Group. Minute 22 Councillor Hawley –travel expenses. Minute 22- Councillor Redfern representative of Biddulph in Bloom.
- b) To declare any Other Disclosable Interests: None

## **16. MINUTES**

- a) To **approve and sign** the Minutes of the meeting the Town Council held on 11 June 2019. Councillor Jackson clarified the figures; there were 308 properties that had been empty for more than 2 years.
- b) To **approve and sign** the Minutes of the Finance Strategy and Management Committee meeting held on 25 June 2019. Councillor Jackson noted that the potential grants scheme would be for Town Councillors only. Councillor Salt had not attended, Councillor Smith had.
- c) To **receive** the Minutes of the Recreation and Amenities Committee meeting held on 11 June 2019.
- d) To **receive** the Minutes of the Planning Committee meeting held on 18 June 2019 Councillor Jones had attended.
- e) To **receive** the Minutes of the Town and Community Committee meeting held on 18 June 2019.

## **17. MAYOR'S COMMUNICATIONS**

Councillor Davies had been busy, but had lots of fun! He was learning a lot about the town; there was a huge amount of talent in art, music and gardening. The Mayor had attended many excellent Festival events.

The Civic Sunday would be held on 1 September 2019 at St Lawrence's Church from 2.30pm, followed by a reception at Biddulph Town Hall.

The following Charity fundraising events had been arranged:

- a Heritage event on 14 September 2019, Biddulph High Street, with classic vehicles on display
- a swimathon in October, Councillors were encouraged to form their own teams.
- a Biddulph Male Voice Choir concert, also to be held in October.

## **18. TO RESOLVE THAT THE TOWN COUNCIL SEAL CAN BE USED TO VERIFY THAT AN INDIVIDUAL IS STILL LIVING**

NALC guidance from 23 May 2019 states:

*NALC has recently been asked to advise on whether there is a power for a local council to use its official seal to authenticate a document on behalf of a private individual. We understand a practice has developed of the clerk or a councillor using their council's seal to*

*authenticate a document confirming, for example, that a resident is still alive, for people receiving a pension from abroad.*

*NALC's view is that a council should not use its seal to authorise documents not directly related to that council. Whilst in many European countries the local authority has a specific role in authenticating documents, that is not the case here.*

*A council seal is to be used for confirming the council's consent to a particular document and the related transaction (e.g. the sale or purchase of land). The seal should never be used without a formal resolution authorising the specific use and a council's standing orders should set out the procedure for the use of the seal. When a council uses the seal on a document relating to a council transaction, the power to use the seal is incidental to that transaction (s.111 of the Local Government Act 1972).*

*When the seal is used on a document to which the council is not a party, there is no power to do so and that use is not incidental to any other of the council's powers. In addition, because of the role of a foreign local authority, the council could be taking on an open-ended liability if there was something wrong with a document that it applied the seal to as the foreign authority would take the seal as a guarantee by the town council of the validity of the underlying transaction.*

**This practice has taken place for residents of the town; approval is sought to continue to use the Council seal on these occasions.**

The Chief Officer explained the situation; there were about a dozen people that presented to the Town Council each year. Officers confirmed that these individuals were still living by looking at identification.

Councillor Salt was happy to continue with the practice for the current people, but not to take on any new applicants. Councillor McLoughlin agreed.

Councillor Harper noted that he carried out a similar process on behalf of his son who lived abroad and was concerned about background checks. Councillor Redfern was concerned that by limiting applicants, this Council could be open to charges of discrimination. The Chief Officer suggested that she drew up a set of procedures to allay concerns.

Councillor Jones asked if it was just for residents of this town. Councillor Hawley wondered if this Council should charge for the service and was concerned about loopholes. Councillor Garvey noted that if NALC say it shouldn't be done and this Council was open to discrimination then we should take the advice.

Councillor Salt removed her previous proposal and proposed that the item be sent to the Finance Strategy and Management Committee for debate; this was seconded by Councillor Harper and agreed.

Councillor Smith left the room before discussion took place on the following item and returned afterwards.

**19. RECOMMENDATION FROM THE FINANCE STRATEGY AND MANAGEMENT COMMITTEE: THAT A DISPENSATION SHOULD BE SOUGHT FOR COUNCILLORS TO MAKE AN ALLOCATION IN RELATION TO THE GRANT APPLICATION SUBMITTED BY COUNCILLOR SMITH FOR THE TROLL RUN**

Councillor Jackson proposed that dispensation be granted; this was seconded by Councillor Perkin and agreed.

Councillors Hart and Sheldon left the room before discussion took place on the following item and returned afterwards.

**20. ITEM REQUESTED BY COUNCILLOR MCLOUGHLIN: BIDDULPH'S RESPONSE TO THE LOCAL PLAN AND THE SITE SELECTIONS INCLUDED WITHIN, INCLUDING FEEDBACK FROM THE NEIGHBOURHOOD PLAN WORKING GROUP**

Councillor McLoughlin gave a brief history of the Local Plan and the Neighbourhood Plan.

Councillor McLoughlin felt that some documentation in the Local Plan was out of date; reports were from 2015. He felt that public information was not being fed into the Local Plan. Biddulph's Neighbourhood Plan had been submitted for screening to Staffordshire Moorlands District Council (SMDC) and the information it contained had not been included.

The Biddulph Neighbourhood Plan consultant from Urban Vision - Hannah Barter - had written to Mr Larner (SMDC) outlining the situation and her concerns about the process.

Councillor McLoughlin proposed that a quote for additional help is sought from Urban Vison, this was seconded by Councillor Harper. It may be necessary to engage in more dialogue with both the Inspector and the District Council in relation to this issue.

Councillor Jones noted that what happened on 26 June at the SMDC Council Assembly was a travesty. The Neighbourhood Plan had been passed unanimously by this Council in May, but the Local Plan would now go before the Inspector for review; Councillor Jones proposed that Ms Barter and Councillor Hawley should attend this review and that the Neighbourhood Plan should be taken regard of, we should take very strong representation and make sure that the Inspector has all the accurate information.

Councillor Davies added that there were two plans – Local and Neighbourhood and neither had yet been passed. The information was being put forward for clarity.

Councillor Salt was happy to have a debate about other sites in the town, but noted that one site was not more important than another.

Councillor Davies noted environmental mapping had discussed with the District Council in February 2019.

Councillor Hawley highlighted statements by Mr Larner where he had said that the Neighbourhood Plan had not been developed, but it had been submitted for screening. He later said that the information provided had not been used. Councillor Hawley added that the District Council had totally disregarded everything that had been submitted.

Councillor Redfern was fully aware there may not be a full consultation; the Local Plan may only be considered by the Portfolio Holder for Planning.

Councillor Davies added that the District Council did not consider information that had been submitted. He had noted that the Inspectorate had said it may change its advice on receipt of differing evidence.

Councillor Hall thought it was important that our points are made known and very quickly. We must make sure that all our data gets into the hands of the Inspector. Councillor Hall declared an interest as owner of a property adjacent to the stream; Councillors Hall seconded the proposal by Councillor Jones that all information is sent to the Inspector.

Councillor Yates added that we were in this position due to central government policy. SMDC was basing the vast majority of development in the three main towns. Councillor Yates had attended Local Plan training for new Councillors on 12 June 2019. Councillor Yates had wondered where you could put 1000 houses. There was a semi-derelict brown field site in the Biddulph Mill Quarter that could have urban clearance; current occupants could be relocated to the proposed mix use site to the west of the Inner Relief Road. The cleared site would accommodate 300 residences.

Councillor McLoughlin noted that ecological evidence had been submitted for all five wards.

Councillor Jackson noted that we need to know how much extra this would cost and which budget it would be taken from, if the consultant were to be commissioned for additional support.

Councillor Hawley noted that there was still money in the Neighbourhood Plan pot, but he would need to see a quote before he knew if there was enough.

Councillor Garvey clarified that the first proposal was to get a quote and the second was to send the information to the Inspector.

Councillor Hawley noted that Ms Barter had written to Mr Larner, we should wait to find out his response to that letter. Councillor Davies noted that the letter had pointed out the conflict.

Councillor Perkin felt we were wasting time, we should get a quote, there was no time to agree this, the next meeting of the Town Council was not until September.

Councillor Davies put forward the first proposal by Councillor Jones which had been seconded by Councillor Hall, this was agreed. Additional information would be provided to the Inspector.

Councillor Davies put forward the second proposal by Councillor McLoughlin, which had been seconded by Councillor Hart, noting that a maximum amount could be stipulated. Councillor Salt noted that a special meeting of the Town Council could be called.

Councillor Hawley proposed that Ms Barter is asked to quote as she knew the Neighbourhood Plan inside out, this was seconded by Councillor Garvey.

Councillor Jackson wondered what we would be asking Ms Barter to do; we would need to set parameters. Councillor Jackson was not clear what we were asking her to do, he did not know if the Inspector would accept the information presented, we needed to find out more details first. We should talk to Ms Barter and take her advice; if she felt that this would be extra work, we could convene a meeting and make a decision.

Councillor Davies summed this up, wait for a response from Mr Larner, take advice from Ms Barter; the letter may be all that was needed.

Councillor Hawley suggested that the Chief Officer talks to Ms Barter to seek the best way forwards; this would include the best way to address the Inspector, what we should take forwards and what it would cost.

Councillor Harper noted that Ms Barter had requested a face to face meeting with the District Council, we should wait and see what comes out of this meeting first.

Councillor Salt proposed that the decision is left to the Chief Officer when the information has been received; we can then convene a special meeting and suspend standing orders to allow full discussion, this was seconded by Councillor Harper.

Councillor Davies proposed seeking advice from Ms Barter about presenting the information to the Inspector.

Councillor Yates asked if Ms Barter's letter could be circulated to all Councillors. The Chief Officer would need to seek advice from Ms Barter. Councillor Davies noted that this had been a personal letter as a planner on behalf of Urban Vision.

It was agreed that the Chief Officer would seek additional advice and inform Councillors, as appropriate.

## **21. VERBAL UPDATE ON MANAGEMENT OF BIDDULPH TOWN HALL AND VISITOR CENTRE**

Councillor Hall noted that Heads of Terms (HoT) in relation to the management arrangements of these sites would be ready very soon.

Councillor Jones asked when the Visitor Centre would be handed over. Councillor Hall noted that following agreement of HoT it would go through very quickly. Councillor Jones asked if HoT would be here for the September meeting. Councillor Hall hoped so.

Councillor Salt asked for an update on the back room; the previous Police Locker Room. The Chief Officer noted information from the meeting of the Town and Community Committee; she had asked if the room upstairs could be used to store some donated equipment and was told it could not. The Chief Officer was not yet permitted to use the rooms; we would have clarity when the report had been submitted to Cabinet.

## **22. ACCOUNTS & FINANCE**

### **a) Accounts received for payment in July 2019**

#### **Expenditure over £500**

D&G Bus Ltd.	
Provision of 93 bus service for June 2019	£3076.00
D&G Bus Ltd.	
Provision of 93 bus service for July 2019	£3537.40

#### **Expenditure under £500**

Ash Waste Services (Town Burial Ground)	£374.82
Tidysite (Woodhouse Burial Ground)	£23.10
Market imprest:	£180.00
For stall construction and dismantling	
Brian Carter:	£40.00
Un/lock gates at Woodhouse Burial Ground	
Business Products- photocopier services	£86.79

Grenke – photocopier lease	£439.67
Mrs J Webber – Cake for 'Tea with the Town Council'	£45.00
VAST – Provision of support and advice	£240.00
Staffordshire Moorlands District Council – Annual fee, premises license	£70.00
Staffordshire Moorlands District Council – Lease of lands at Congleton Road	£90.00
Information Commissioner – Data Protection Renewal Fee	£40.00
Time Assured – annual service for Biddulph clocks	£420.00
Elizabeth Thompson – Internal Audit for the Financial Year 2018/19	£150.00
Staffordshire Parish Councils Association – Chairmanship skills course	£20.00
Councillor Hawley – travel expenses	£28.00

**b) Accounts received for payment in August 2019**

Brian Carter:	£40.00
Un/lock gates at Woodhouse Burial Ground	
Market imprest:	£180.00
For stall construction and dismantling	
Tidysite (Woodhouse Burial Ground)	£23.10

**c) Supplementary accounts**

**Bank Transfer**

Fontana Fountains	393.51
Transportation charges	

**Expenditure above £500**

<b>Salaries</b>	5343.51
<b>HMRC</b> to be paid 31 July 2019	1978.82
<b>Staffs Pension Fund</b>	2207.11

**R Standell**

Lengthsman work May/June re issue cheque 6830	1328.00
Re-issue cheque 6831	320.00
Lengthsman work June/July	900.00
Signs for market	160.00

**Staffordshire Wildlife Trust Ltd**

Neighbourhood Plan Nature Recovery map	720.00
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**Expenditure below £500**

<b>Mrs J Webber</b>	35.00
Refreshments at Network event	

**Countrywide Grounds Maintenance**

58.50

Grounds maintenance Springfield Road July

**United Utilities** 94.80  
Application fee for quote for one single connection

**Petty cash** 47.40  
June-July 2019

Travel  
S Haydon 56.39  
J Hancock – market signage 28.08

Alexandra Ward 84.00  
Re-issue of cheque 6574

SLCC 352.00  
Annual membership

### Credit Card

**Facebook boosts –** 18.00  
Artisan Market – 1.00  
Dementia Cinema – 2.00  
Network Meeting – 14.00  
Dementia Action Week – 1.00  
**Giff gaff – wifi** 25.00  
**Shaw and Sons** 93.60  
Minute book  
**Shutterstock – media graphics monthly fee** 19.00

## **AUGUST**

### Expenditure above £500

**Salaries** 5343.51  
**HMRC** to be paid 31 August 2019 1978.92  
**Staffs Pension Fund** 2207.11

D&G Bus Ltd 3076.00  
Provision of 93 bus service for August 2019

### Expenditure below £500

Ash Waste up to 400.00  
Bins at Town Burial Ground

Mrs J Webber up to 100.00  
Refreshments at events in July and August

Countrywide up to 100.00  
Ground maintenance Springfield Road August

Business Products up to 100.00  
Monthly Copy charges

**d) Grants awarded**

Citizens Advice	25000.00
Biddulph in Bloom	25000.00
Biddulph Festival	5000.00
Biddulph Lifeline	2000.00
Air Training Corps	1600.00
Moorlands Voluntary and Community Transport	2000.00
Visyon	2000.00
Knypersley Bowling Club	500.00
Biddulph U3A	500.00
Biddulph Moor Community Association	500.00
Biddulph Bowling and Recreational Club	600.00
Biddulph District Youth Orchestra	500.00
Moor Community 1st Responders	1000.00
First Biddulph Moor Scout Group	600.00
Troll Run	800.00
Biddulph Twinning Association	500.00
Biddulph Youth and Community Zone	700.00
Brown Lees and District Community Association	300.00
Jordan Burndred Memorial Fund	500.00
Biddulph Ukulele Group	400.00
Biddulph Valley North Community Association	300.00
Biddulph Trefoil Guild	200.00
1st Biddulph Moor Rainbows	300.00
Aglow	200.00

The meeting closed at 7.55 pm

Signed . . . . . Date . . . . .