

MINUTES OF THE MEETING OF BIDDULPH TOWN COUNCIL HELD ON TUESDAY 19 FEBRUARY 2019

The Chief Officer introduced the Town Mayor and Deputy Mayor; Rev'd Nick Witham was invited to lead a time of prayer. The Mayor opened the meeting.

PRESENT

The Mayor Councillor McGuinness
The Deputy Mayor – Councillor Davies
Councillor Baddeley
Councillor Court
Councillor Hall
Councillor Harper
Councillor Hart
Councillor Hawley
Councillor Jackson
Councillor Jones
Councillor Lawson
Councillor Lovatt
Councillor Nicosia
Councillor Rogers
Councillor Rushton
Councillor Salt
Councillor Sheldon
Councillor Swift
Councillor Whilding
Councillor Wood

The Mayor informed Councillors that Eric Walley had passed away. Councillor Lovatt advised that ex-Urban District Councillor Walley had passed away in November. He had been a Councillor in the early 1960s. Councillor Lovatt knew ex-Urban District Councillor Walley through the Biddulph Historical and Genealogical Society; he had a wealth of knowledge. ex-Urban District

Councillor Walley had become a Councillor just after he got married, at the age of 22.

The Mayor advised Councillors that former Mayor Terry Gibson was very poorly. Councillor Rogers had bought a card for Councillors to sign; this would give Terry a little smile. He had a long way to go with his recovery.

67.18 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.

Councillor Rogers introduced Nigel Daly and Brian Vowles to talk about development at Biddulph Old Hall and support required from Biddulph Town Council. Nigel and Brian had attended the Tourism Sub-Committee; it had been a proposal from the Tourism Committee that support should be offered by the Town Council.

Mr Vowles handed a note to Councillors; this stated:

PROPOSED NEW ACCESS AND FIELD PARKING FOR BIDDULPH OLD HALL

WE WOULD LIKE TO DISCUSS TWO POINTS TONIGHT:

GROUPS MAINTENANCE TRACK

The Maintenance Track has already been made, and follows a line from the front forecourt of Biddulph Old Hall to the south end of the Yew Walk. It runs outside the defined limits of the Scheduled Ancient Monument. We made it under conditions that we believed still applied, given to us in a letter written by Gill Bayliss in 2004 when she confirmed that works to realign drives within the Curtilage of Biddulph Old Hall did not need development permission. We have now been told that this is no longer the case and does not apply.

The track is to allow access for heavy machinery to get to, and remove, eight self-seeded sycamore trees that have, or are, killing the historic Yew Trees that are the principal feature of the walk. The proposal has been discussed with Steve Massey of SMDC.

Once the sycamores are removed we will be able to replant the missing Yews with as large a specimen as we can get, to recreate the original Elizabethan setting of the ruined mansion

The current position of SMDC and Historic England is that the track is 'Unauthorized' and should be removed and the land re-instated. The line of the track forms part of the proposed new access route to Biddulph Old Hall. We have been told that should we apply for retrospective permission for the track it will be refused. Under these conditions the important restoration of the Yew Walk is impossible without damaging the Scheduled Area by taking machinery across the Tilt yard and down the length of the Yew Walk.

PROPOSED NEW ACCESS ROUTE

We believe the siting of Biddulph Old Hall makes it a unique special case which we thought would have been taken into consideration. The Hall is surrounded on 3 sides (West, North and East) by the land of Biddulph Hall Farm, and to the south by the steep-sided Clough. Access is by a Domestic Right of Way from Overton Road through the centre of Biddulph Hall Farm. There is no public right of access onto the grounds of the Hall, and our predecessor allowed no public access throughout her tenure of 35 years.

The Hall itself is a Grade II* Listed Building, and the Ruins, Tilt Yard and a small section of the Yew Walk are a Scheduled Ancient Monument. The monument was first registered on the 2nd September 1960 and the Scheduled Area reduced by removing the Eastern part and the majority of the Yew Walk on 1st August 1996.

We restored the Hall with all the appropriate permissions from SMDC in 2005-1010. We saved the tower from collapse and restored it with a 40% grant from Historic England in 2008/10. A condition of the grant for the tower was that there should be public access to see the works done. The response to allowing public access has been absolutely overwhelming, and we allowed Group Visits at first. But the demand for these visits was so great we started having Open

Days, as well as the Group visits, in 2012. These Open Days have average numbers of between 350 and 400 people per afternoon, without advertising.

These Group Visits and Open Days have only been possible due to the kindness and generosity of our neighbours at Biddulph Hall Farm who have allowed us to use one of their fields for parking and have tolerated up to 400 people passing through the centre of their working farm. Over the last 4 years Biddulph Hall Farm has been developed with new barns, slurry handling pits and computerized and automated milking parlour, with the herd growing to over 230 cows with young ones and heifers on top.

Last year although they allowed us to have the visits and open Days it became clear that public access to Biddulph Old Hall and the requirements of a busy working farm had become incompatible. This year we have no access to parking and they are keen to reduce the numbers passing through the farm for reasons of safety and the spread of Bovine TB.

They have been very understanding and are keen to help us find a solution, so after long discussions and negotiation we were able to agree on a piece of land that might give us access and parking without impinging on the workings of the farm or impeding any of their access routes or cow tracks. It is far longer than we would have liked, and considerably more expensive, but offers a way of separating the access to Biddulph Old Hall from that of the farm.

We have carried out surveys and submitted a Pre-App to SMDC. The response from SMDC has been that the proposal will not be supported, and would be reused if submitted as a full application. They have not commented on the public access issues that are the driving force behind the application. These were central to the Design Access Statement submitted with the Pre-App. It appeared to have been handled as a routine application for someone wanting a new drive through the green belt, without any reference to the more complex issues thrown up by the particular problems which exist at Biddulph Old Hall

Clearly the response to the Pre-App and the reinstatement instruction for the maintenance track mean there seems little point in submitting a full application having been told by the officers it will be refused.

We are shocked at the officers' response. We had thought that the Pre-App offered the opportunity for discussion about the unique circumstances involved in allowing public access and that with good will on both sides a

solution that did not involve returning the Hall to a private dwelling, with no public access, could be found. Despite this initial opposition, we are still hoping that if we were to submit the full application, some meaningful discussion might be possible, and a positive outcome achieved.

On a personal note, Nigel and I have one over-riding concern. That concern is not to upset our neighbours at Biddulph Old Farm or our wonderful relationship with the people of the area, who have given so generously and good-humouredly of their time and efforts, cake making, serving teas, washing up, car park duties and stewards amongst others, and not to spoil the memory of happy summer afternoons we have shared together.

Nor, as members of the Biddulph community, do we have any wish to allow negotiations over a simple access track to transform our relationship with SMDC into an adversarial one after 15 years mutual co-operation. If SMDC truly feel that an alternative access to Biddulph Old Hall is not appropriate, we would far rather quietly return the Hall to a private dwelling. Sadly, we can't help feeling that to do so would be letting down all those who have come to identify with, and take pride in the Old Hall, as a defining part of their home town.

VISITS TO BIDDULPH OLD HALL 2019

Sunday 3rd March - SMDC Chairman's' Charity Tea

Wednesday 8th May - Congleton Camera Club Group Visit

Saturday 1st June - Chapman's Wedding Celebration

Wednesday 5th June - Berlin Gartenakademie Group with Dr Isabelle van Groeningen

Thursday 6th June - Congleton Women's Probus Group Visit

Thursday 13th June - Arts Society Wrekin Group Visit

Saturday 15th June - Open Day – NOW CANCELLED

Wednesday 26th June - Chester National Trust Group Visit

Saturday 29th June Open Day – NOW CANCELLED

Tuesday 2nd July - Tatton Garden Society Group Visit

Thursday 4th July - Boxwood Tours Group visit – hosted by Stephen Anderton
Gardening Correspondent of The Times

Saturday 6th July - Neusink 70th Birthday Party

Thursday 11th July - Cheshire NSPCC Fund Raising Reception

Saturday 13th July - Open Day – NOW CANCELLED

Thursday 1st August - Moorlands Brunch Group Visit

Saturday 7th September - Oxford University Alumni – Manchester Branch
Group Visit

Councillor Wood respected the wish not to be adversarial, but wondered what the Planning Department was thinking. The Town Council hoped to attract people into the town; this is an obstacle, but not insurmountable. Members of the Planning Committee and Officers should meet with Mr Vowles and Mr Daly. There should be a common-sense approach; the town is in danger of losing this facility.

Councillor Baddeley commended Mr Vowles and Mr Daly for their work on Biddulph Old Hall. Councillor Baddeley queried whether Officers from Staffordshire Moorlands District Council had visited the Hall; it was confirmed that they had. Councillor Baddeley was horrified with the Officers' response and wished Mr Vowles and Mr Daly luck.

Councillor Jones echoed what Councillor Wood had said. He had lived in Biddulph all his life and was blown away by Biddulph Old Hall. The owners had organised charity fundraising days, which Councillor Jones could have sold ten times over. The Civic guests had been amazed. Councillors should remember that these gentlemen have pulled the Hall back from ruin. There is no commercial or financial agenda. Councillor Jones noted that Officers at Staffordshire Moorlands District Council had obeyed the rules: rules were sometimes for the 'obedience of fools, but the guidance of wise men'.

Councillor Jones had spoken to the Leader of the District Council; Councillor Ralphs had agreed that a meeting was needed.

Councillor Jones proposed that the Town Council writes to Staffordshire Moorlands District Council to put the case that this development should be encouraged.

Councillor Salt had attended an open day; it was an astonishing place. Councillor Salt felt that the planners had not taken into account what the Hall stands for; the pieces of the jigsaw had not been put together. Councillor Salt agreed that the Town Council should write to the Planners and request a meeting.

Councillor Sheldon felt immense pride that Mr Vowles and Mr Daly had come to restore Biddulph Old Hall; Councillor Sheldon thanked the gentlemen for sharing this with the community. Tourism for Biddulph is very important; industry days have gone. Councillor Sheldon would try to facilitate these discussions; it is sometimes easier to say no than to work through the problems.

Councillor Rogers was hoping that Councillors would support the proposal that the Town Council intervenes. The planning application is for a very low-key entrance from the A527.

Councillor Hall noted that the Leader of Staffordshire Moorlands District Council was supportive of Councillor Jones' proposal. This was seconded by Councillor Harper; all were in favour. Councillor Hart abstained.

Councillor Davies hoped that the letter would call for a resolution to this impasse.

Councillor McGuinness noted that the Town Council would take this forward on behalf of the town.

68. APOLOGIES

Apologies for absence and reasons accepted were received from:

Councillor Redfern

Councillor Walley

69. DECLARATIONS OF INTEREST

- To declare any Disclosable Pecuniary Interests & Dispensations: None.
- To declare any Other Disclosable Interests: Councillor Hart has business interests with the landowners that are neighbours of Biddulph Old Hall. Councillor Hawley and Councillor Davies- travel expenses. Councillor Sheldon in anything pertaining to Biddulph in Bloom. Councillor Jones is the Chairman of the Biddulph Grange Country Park Friends.

70. MINUTES

It was moved to approve and sign the Minutes of the meeting the Town Council held on 15 January 2019.

It was moved to receive the Minutes of the General Purposes Committee meeting held on 15 January 2019.

It was moved to receive the Minutes of the Planning Committee meeting held on 12 February 2019.

It was moved to receive the Minutes of the Civic Committee meeting held on 12 February 2019.

Councillor Jackson wished to seek an update in relation to Minute 64 in the Civic Committee minutes. Councillor Jackson asked whether Councillor Hall had received any update following his request for information on the Future High Streets Fund. Councillor Hall confirmed that no update had been received.

Councillor Jackson noted that District Councillors had the opportunity to call-in this decision; decision-making had not been done fairly. The decision had been made in January; there was a 'political steer' and Councillors should know where this had come from. There were six Councillors needed for a call-in. Four Labour Councillors would do this; would others join in too?

Councillor Jones is Chairman of the District Council and would sign the call-in for this decision.

Councillor Wood welcomed Councillor Jones' comments. Biddulph is out of the loop and should have access to funding. There should be a debate; there had been no input from those representing Biddulph.

Councillor Lovatt felt that it was not fair how this decision had been made. Biddulph Councillors had been the last to hear; the decision had been made in January. Councillor Lovatt did not believe the facts and figures; she was happy to support the call-in.

71. MAYOR'S COMMUNICATIONS

The Mayor informed Councillors that they had a paper copy of an email received by the Chief Officer that morning in relation to the 93-bus service, including her email to Councillors.

Town Council are not able to have a lengthy debate about this, as the 93-bus service is not on the agenda. However, the Mayor noted that, by way of an update, he felt Councillors should see this information, which notes that the tender process has concluded, and the winning bid is affordable, within the budget the Town Council has allocated for this service.

With this in mind, the Mayor asked whether Councillors were happy for the Chief Officer to continue to work on this and provide the full contract information at the March meeting, to enable Councillors to provide further scrutiny.

Councillor Hart moved this proposal; seconded by Councillor Wood.

Councillor Jones cautioned that the contract would have to be awarded in March; Councillor Lovatt was concerned that there would not be a continuation of service.

Councillor Hall noted that three clear days were required in order for Councillors to award a contract.

The Mayor was in favour of the Chief Officer continuing discussions, based on the information received.

Councillor Jackson wondered whether there could be an emergency Town Council meeting. Councillor Hall proposed that this should take place after the Civic Committee. All were in favour.

The Mayor informed Councillors that he had been to the Moorlands Heroes awards; Biddulph people had been well represented amongst the winners.

The Mayor urged Councillors to keep a watchful eye on the development of the masterplan for Tunstall Road; he had attended the consultation event for the first part of this.

The Mayor had presented a red rose to each person that attended the Dementia Friendly cinema event; 'Seven Brides for Seven Brothers' had been well received.

72. STAFFORDSHIRE PARISH COUNCILS ASSOCIATION REQUEST FOR FEEDBACK

The Chief Officer noted that the National Association for Local Councils (NALC) had requested feedback, via the Parish Councils Association, in relation to executive style arrangements. This had not been discussed for some time by the Town Council; this was an opportunity to consider this. A number of questions had been posed:

If you don't operate the 'leader model', why not?

The role of leader of parish and town councils isn't currently recognised in law; is this a problem?

NALC's current policy is to allow a town council to adopt 'executive style' governance arrangements including a leader and portfolio holders; do you still agree with this? How much of a priority should this issue be?

Councillor Jackson felt this was an idea that should have been 'strangled at conception'. The best thing about the current arrangement is that all Councillors are equal; there is no higher status, with the exception of the Mayor. Councillor Jackson could understand this idea at County Council level, and to a lesser extent at the District Council level, but representatives at Town Council level should carry equal weight.

Councillor Harper noted that Councillor Jackson was '100% correct'. This idea should be 'kicked into touch'.

All agreed that this model was not appropriate for Biddulph Town Council.

73. ITEM REQUESTED BY COUNCILLOR SALT, BIDDULPH TOWN COUNCIL REPRESENTATIVE TO THE 'SAVE LEEK HOSPITAL' WORKING GROUP – AN UPDATE ON CURRENT DEVELOPMENTS

Councillor Salt provided an update, as the Town Council's representative. The consultation is happening at the moment in relation to future health provision in the area. Councillor Salt encouraged Town Councillors to look at this. There is no way to gather quality data. The document is about care homes. Leek Town Council had agreed to seek information about what people actually want; Town and Parish Councils can collect data. Councillor Salt proposed that the Town Council allows Officer to collect quality data on the needs of the people in the community.

Councillor Jones had been at a meeting with Marcus Warnes (Accountable Officer, North Staffordshire Clinical Commissioning Group) and had challenged the preferred option, which incorporated care and nursing provision. It appeared that it would cost £4.2million to use care and nursing home beds, but £3million to use beds at Leek Hospital. The Town Council needs to keep an eye on this; Councillor Jones has little faith in those carrying out the consultation.

Councillor Salt added that local action groups had joined together to fund a barrister to challenge the proposals.

Councillor Harper seconded the proposal; all in favour.

74. TO APPROVE THAT THE CHIEF OFFICER CARRIES OUT TWO BRIEFING SESSIONS DURING MARCH 2019, ENTITLED 'ELECTIONS-WHAT DOES IT MEAN TO BE A TOWN COUNCILLOR? WHAT DOES BIDDULPH TOWN COUNCIL DO?' WHICH WILL BE OPEN TO THE PUBLIC AND BASED ON THE NALC GUIDANCE ATTACHED

Councillor Hart noted that when he had become a Councillor, he was informed that the commitment would be two hours a month.

Councillor Rogers thought these sessions were a good idea; he had been asked what was involved in being a Councillor.

All were in favour.

75. TO CONSIDER THE COMMITTEE STRUCTURE DOCUMENT (ATTACHED) AND ANY AMENDMENTS NEEDED PRIOR TO ADOPTION

Councillor Rogers was 'all for change', but felt that daytime meetings were a problem; meetings should take place in the evening.

The Chief Officer noted that all meetings would be in the evening.

Councillor Lovatt wondered whether there would be enough time in Week 2 for all business.

Councillor Jackson stated that everyone recognises that the work of the Town Council has grown; Officers' work is amazing. Councillor Jackson felt the Town Council should adopt the new Committee structure; it can be looked at again, if needed. The work of the Town and District Councils has flipped; there is now more of a time commitment for Town Council meetings.

Councillor Jones was quite happy with the proposals; it was positive that the number of members on each committee was fewer. Councillor Jones wasn't sure about the names of the committees, but would 'go with the flow'.

Councillor Salt proposed that the Town Council meeting should begin at 6pm; seconded by Councillor Harper. Councillor Lovatt wondered whether this would make the evening too long. Councillor McGuinness noted that under the current Standing Orders, meetings would have to end at 8.30pm.

Councillor Hall proposed that the new structure should be adopted, with the amended time for the commencement of Town Council; seconded by Councillor Hart. All in favour.

76. TO APPROVE THAT BIDDULPH TOWN COUNCIL SIGNS THE ATTACHED HEADS OF TERMS FOR THE MANAGEMENT OF THE BIDDULPH GRANGE COUNTRY PARK VISITOR CENTRE

Councillor Davies queried whether the intention was for a third party to run a café.

Councillor Jones noted that there was an opportunity to renegotiate and sub-let the space. It was important, in the first instance, to get the doors open. Councillor Jones proposed that the Heads of Terms should be signed.

Councillor Hart seconded this motion. All were in favour.

77. TO APPROVE THE INSURANCE PROVIDER FOR 2019-20 (QUOTATION ATTACHED)

Councillor Salt wondered whether the war memorial was included. The Chief Officer noted that she was awaiting a response from County Highways about ownership of the site.

Councillor Harper queried whether the Visitor Centre was included; the Chief Officer confirmed that this could be added when the appropriate documents had been agreed.

Proposed to accept the quotation by Councillor Hall, seconded by Councillor Davies. Agreed.

78. TO RECEIVE AN UPDATE ON DISCUSSIONS IN RELATION TO THE MANAGEMENT OF BIDDULPH TOWN HALL

The Chief Officer noted that she was continuing to work with Councillors Hall and Jackson, in their roles as Chair and Deputy of the Finance Committee. The most recent information received from the District Council was a confidential document on the tables; this included the running costs for the Town Hall and caretaking staff. Councillors were urged to consider this information to enable them to provide further scrutiny at a later meeting.

Received.

79. TO APPROVE THE RECOMMENDATION CONTAINED WITHIN THE CONFIDENTIAL SPECIAL BURIAL GROUNDS SUB-COMMITTEE MEETING MINUTES IN RELATION TO A NEW GROUNDS MAINTENANCE PROVIDER FOR 2019-2022

Councillor Hart proposed that the recommendation in relation to the new grounds maintenance contract should be approved. Councillor Hart had been very happy with the work of the Chief Officer and her team; he was happy to recommend this contractor to the Council.

Seconded by Councillor Jones and agreed.

Councillor Hart wished to thank the Chief Officer; this had been a very comprehensive and professional tendering process. It would be beneficial to the people of Biddulph and the Council.

80. TO APPROVE THE THREE RECOMMENDATIONS CONTAINED WITHIN THE CONFIDENTIAL PLANNING COMMITTEE MINUTES REGARDING THE ONGOING RELATIONSHIP WITH URBAN VISION AND ITS ROLE WITHIN THE TOWN

Councillor Hawley updated members that the details were commercially sensitive, but the conversations had been around the management of a potential conflict of interest, and the continuing support of Urban Vision with the Neighbourhood Plan and Neighbourhood Development Order process.

It was proposed to accept the recommendations by Councillor Hawley; seconded by Councillor Hart. All in favour.

81. ACCOUNTS & FINANCE

The payment below which was received between the meeting cycle was approved

B Harrison	160.00
Reimburse for skip at Park Lane allotment site Paid after January meeting	

Accounts received for payment in February 2019 were approved

Expenditure above £500

R Standell	1572.00
Lengthsman work January to February 2019	

Expenditure below £500

Staffs Pension Fund	160.30
Underpayment for January	

Npower	78.15
Christmas Lights metred supply	

AJ Philpott and Sons Ltd	234.00
Polycarb sheet for noticeboard replacement	

Triad Ltd	184.50
50 A5 promotional moleskin notebooks	

Filmbank media	60.00
Permission to show film at Dementia Cinema	

Heads Congleton Ltd	122.40
Advert for Dementia Cinema event	

Heads (Congleton) Ltd	146.88
Advert for Neighbourhood Plan consultation 19 January 2019	

Blonde Folly	75.00
Cakes for Neighbourhood Plan consultation	
Staffordshire Wildlife Trust	100.00
Staffordshire Ecological Record	
Map of wildlife Corridor for Neighbourhood Plan	
National Association of British Market Authorities	381.60
Annual subscription	
National Association of British Market Authorities	156.00
National conference delegate fee	
Countrywide Grounds Maintenance	56.80
Land at Springfield Road February 2019	
Ash Waste Services	244.75
Bins at Woodhouse Lane	
Tidysite Skip Services Ltd	20.10
Bin at Woodhouse Burial Ground	
Brian Carter	40.00
Un/lock gates at Woodhouse Burial Ground	
Credit Card payments	
Facebook	12.44
Boost Local Green Space – 9.44	
Boost 11-day celebrations – 1.00	
Boost Fresh Food Friday – 2.00	
Giff Gaff – monthly subscription	7.50
Land Registry - search	6.00
Land Registry - search	6.00
Land Registry - search	6.00

Shutterstock – monthly subscription	19.00
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Virgin Trains – travel to Birmingham Nabma conference	50.80
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Supplementary accounts

Expenditure above £500

Salaries	5039.32
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HMRC to be paid 1 December 2018	1835.26
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Staffs Pension Fund	1995.36
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Zurich Municipal Annual Insurance premium	1658.92
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Viking Direct Stationery supplies	566.06
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Expenditure below £500

Petty cash Jan-Feb 2019	50.97
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S Haydon Travel to Leek NP screening Travel to Wolseley Centre mapping Travel to Leek town hall development Travel to Leek NP screening	57.61
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Cllr D Hawley Travel to Leek NP screening Travel to Leek NP policy discussion Travel to Leek NP policy discussion	25.95
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Blonde Folly Dementia cinema 15 February 2019 cakes	37.50
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Kent County Council Copier charges October 2018 to January 2019	264.12
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Barry Harrison 72.00
Reimbursement for replacement to damaged plants

Chartered Institute of Housing 298.00
Annual membership- Sarah Haydon

Councillor Harper queried the purchase of notebooks; these had been purchased by the Tourism Sub-Committee.

The Mayor announced the winner of the Fairtrade school poetry competition.

The meeting closed at 8.22 pm

Signed Date