MINUTES OF THE FULL COUNCIL MEETING HELD ON MONDAY 15th JUNE 2020 BY VIRTUAL MEETING AT 7.00 pm.

493 PRESENT, Councillors, I. W. Plant (Mayor), D. Sargeant, R. N. Wood, R. G. Locker, J. Evans, A.D.J. Thomas, G. Powell, G. Bentley, I.T. Whitehouse, Miss E. Whitehouse, H. Black, Mrs. P. Upton, P. Routledge, S. A. Ellis and Ms K. Martin.

494 APOLOGIES for absence, Councillors, F. R. Alcock, P.J. Elkin and N.A. Wood

ABSENT – Councillors, R. J. Slater A. Jackson.

495 DECLARATIONS OF INTEREST

Councillor G. Powell declared a personal interest in all planning applications as he is a member of Cheadle Unite.

Councillor I. T. Whitehouse declared a personal interest in all planning applications on the Development Services Committee as he a member of the District Councils Planning Committee.

496 SECTION 33 DISPENSATION REQUEST

None received.

497 PUBLIC PARTICIPATION SESSION.

NONE

498 CONFIRMATION OF THE MINUTES OF THE FULL COUNCIL HELD ON MONDAY 16th MARCH 2020

The Minutes of the Full Council Meeting held on Monday 16th March 2020 were approved and confirmed as a correct record.

499 TO APPROVE BY RESOLUTION OF THE COUNCIL AND TO SIGN THE END OF YEAR ACCOUNTS – THE ANNUAL GOVERNANCE STATEMENT 2019/2020

Annual Audit of Accounts for Year Ending 31st March 2020

By Resolution of the Council the Annual Governance Statement for Audit 2019/2020 was approved and will be signed by the Mayor.

500 TO APPROVE BY RESOLUTION OF THE COUNCIL AND TO SIGN THE END OF YEAR ACCOUNTS – THE ACCOUNTING STATEMENTS 2019/2020

Annual Audit of Accounts for Year Ending 31st March 2020

By Resolution of the Council the Annual Return and accounting statements for Audit 2019/2020 were received, approved and will be signed by the Mayor.

501 TO APPROVE BY RESOLUTION OF THE COUNCIL THE INTERNAL AUDITORS REPORT 2019/2020

The Internal Audit Review for financial year 2019/20 reported that the Council's internal checking and control systems are effective and that the records and accounts are maintained to a high standard and in good order. No matters needed to be brought to the attention of the Council.
By resolution of the Council the internal audit review was received and approved.

502 TO APPROVE BY RESOLUTION OF THE COUNCIL THE STATEMENT OF INTERNAL CONTROL

By Resolution of the Council the statement of internal control was received, approved and is to be reviewed in 2021.

503 TO APPROVE BY RESOLUTION OF THE COUNCIL THE LETTER OF ENGAGEMENT AND TERMS OF REFERENCE FOR THE INTERNAL AUDITOR

By Resolution of the Council the letter of engagement and the terms of reference therein for the internal auditor dated 1st September 2019 was received and approved and agreed to be reviewed in September 2021.

504 REPORT OF THE VE DAY WORKING PARTY HELD ON WEDNESDAY 11th MARCH 2020.

Councillor I.W. Plant MOVED consideration of the REPORT.
The REPORT was ADOPTED.

505 REPORT OF THE EXTRAORDINARY MEETING OF THE FULL COUNCIL HELD ON MONDAY 18th MAY 2020.

Councillor I.W. Plant MOVED consideration of the REPORT.
The REPORT was ADOPTED.

506 REPORT OF THE DEVELOPEMENT SERVICES COMMITTEE HELD ON MONDAY 1st JUNE 2020.

Councillor R. N. Wood MOVED consideration of the REPORT.
The REPORT was ADOPTED.

507 REPORT OF THE FINANCE AND RESOURCES COMMITTEE HELD ON MONDAY 1st JUNE 2020.

Councillor D. Sargeant MOVED consideration of the REPORT.
The REPORT was ADOPTED.

508 REPORT OF THE LEISURE AND OPERATIONS COMMITTEE HELD ON MONDAY 1st JUNE 2020.

Councillor I. W. Plant MOVED consideration of the REPORT.
The REPORT was ADOPTED.

509 REPORTS ON OUTSIDE BODIES

None reported.

510 MAYOR'S ANNOUNCEMENTS AND CORRESPONDENCE

No announcements or correspondence.

There being no further business the meeting was brought to a close.

Signed…….

MINUTES OF THE DEVELOPMENT SERVICES COMMITTEE MEETING HELD ON MONDAY 15th JUNE 2020 AT 7.00 P.M.

511 CONFIRMATION OF MINUTES

The Minutes of the Development Services Committee Meeting held on Monday 16th March 2020 were approved and confirmed as a correct record.

512 REVIEW OF APPLICATIONS RECEIVED FROM S.M.D.C.

SMD/2020/0277 – Croxton, 76 Tean Road – Alteration to form dormer house.

It was recommended that the Council has no objections to this application.

513 COUNCILLOR G. POWELL – COVID 19 – LOCKDOWN AND THE PLANNING PROCESS, IMPLICATION AND DISCUSSION

Councillor Powell provided the following information;

"Back at the end of March (31st) not long after the Covid-19 lockdown was put in place, we received an email from a Neil Rogers at SMDC indicating that the planning process and planning applications would continue to operate.

He highlighted that due to home working SMDC would not be able to produce paper copies of the A0-A2 plans (further the leek offices, Library etc would of course be closed). But that they would be available via the website. He acknowledged that it would be difficult for many including parishes to discuss and debate plans with a lack of Wi-Fi, laptops projectors and monitors to display plans, and despite recognising we weren't even allowed to have gatherings of more than 2 stated that things should carry on and that any comments on applications made by parish councillors clerks be made in their own personal capacity or under a delegated authority from the Council as a whole. The email came via Helen attached with a list of 7 Planning applications for Cheadle. Nothing was stated regarding consultation with local residents, which was an immediate concern to me.

I responded and copied you all in highlighting that during the lockdown *'there will be whole rafts of potentially affected residents that won't be in a position to go and review any applications or make comments.'*

I then had an exchange of emails (Supported by our Chair Ray Wood) with Ben Haywood where he stated the Government had been clear that planning should continue to help with the future recovery, and that determination periods had not changed. He went on to state that the vast majority of views and comments were via the council website. I highlighted that proper public consultation is a quasi-judicial (Legal) process and that during lockdown and isolation taking such a stance was excluding groups of the community.

Further the exclusion is likely to be larger than those that simply cannot use the internet. Our own council for example requires access to an informed online meeting location, video conferencing capability (laptop/Mobile/PC, Zoom etc) and social media skills. Our Council meetings have only just got going thanks to Alan's own hard work and very few residents are likely to know where when and how to become engaged. Further the lockdown inhibits local interaction and debate of residents. I also highlighting that on planning matters we are required to conduct ourselves in-line with the Staffordshire Parish Council Association 'Protocol on Planning Matters for members and officers June 2013' Section 1.2 States:
'It is therefore particularly important that guidelines are agreed as there can be far reaching consequences for the Council and for the individual members and officers if correct procedures are not followed.
Members of the Committee must be seen to determine applications fairly having regard to national and local planning policies, the statutory development plan and other material planning considerations.'

Section 1.5 States:
'The Protocol has been agreed by the council and should be followed in respect of all planning matters. A failure to follow any part of the protocol could have a significant impact on the Council's ability to defend its actions in the case of legal challenge or a charge of maladministration.'

In response Ben quoted Government's Chief Planner Steve Quartermain to all Councils dated 23rd March 2020.

'We ask you to take an innovative approach, using all options available to you to continue your service. We recognise that face-to-face events and meetings may have to be cancelled but we encourage you to explore every opportunity to use technology to ensure that discussions and consultations can go ahead. We also encourage you to consider delegating committee decisions where appropriate. The Government has confirmed that it will introduce legislation to allow council committee meetings to be held virtually for a temporary period, which we expect will allow planning committees to continue.'.
'The Government has not made, as yet, any changes to the Town and Country Planning General Development Management Procedure '
He later States:
The Government has not made any changes to the statutory determination period after which, if the Council fails to give a decision the applicant can make an appeal against non-determination.

This would effectively mean that if decisions are not issued by SMDC the ability to make decisions locally would be lost and applications would be dealt with by the Planning Inspectorate in Bristol, which clearly would not serve the best interests of the local community.
In the last email 8th April (sent to Ben). I highlighted that the Governments comments were not based on a legal basis or indeed based on agreement with Counsellors and counselling best practice and to that end need to be countered by practicalities.
Note: I felt there had been an attempted sleight of hand push to present guidance as law and to some extent scare, a process which fails to recognise we would be left accountable should a sizable or contentious application appear and it not be properly considered.
I highlighted that during lockdown:

- Any planning notifications should go to wider residents not just the immediately affected.

- That Cheadle Council would try and flag any obvious issues with any planning applications that come through via our clerk (every fortnight with the clear notice given before the original scheduled meeting), but this does not constitute proper consultation requirements for the reasons stated.

- Any applications that are of concern should be differed and/or by default go to the PAC. Please comment on this (No Response – Though I think this is happening).

- PAC meetings had already been cancelled and assumed therefore cannot possibly guarantee to meet statutory determination periods. Are you stating government intend overriding the PAC at Bristol or is this scaremongering?

- Notifying applicants of an extended determination period surely would be a common sense approach and would assume you would be supported by Government with this. If unclear please contact them and detail the response (No response)

- It needs to be understood that the lockdown prohibited significant further development action anyway at this time and to that end this appears an opportunistic strategy. The counter argument of lack of accountability needs to be debated back to government Ben and I would ask what you are doing to bring balance to the debate back to government? (No response)

What's important here is that the law had not in fact been changed only the advice, which I felt was an attempt to see how far we can be pushed to further water down the consultation process. To be clear the Localism Act 2011 has already watered down consultation engagement with the community. I don't feel we as Council are supported in bringing a balanced debate to the table.
I presented comments on the 7 applications via our clerk who stated that despite being agreed by Chair and Deputy (myself) wouldn't be classed as representative of the town council as we hadn't agreed approval for delegated powers.
For context the CPRE have highlighted concerns over closed door Planning decisions being considered in London.
I'll make comments whenever I can for anything else that comes through. **But the point of highlighting this is to make all councillors aware that during lockdown the planning process is compromised for sections of our community and we need to be on our guard, look at planning applications and the details in them as best we can and comment and also to ensure that as the lockdown eases that what little consultation there was is fully re-instated.**

It was recommended that Council would be vigilant on all planning applications for Cheadle including any large developments and or controversial plans.

514 SMDC – APPLICATION FOR GRANT OF PREMISES LICENCE – BROOKHOUSE SERVICE STATION

It was recommended that Council has no objections to the grant of a premises licence for Brookhouse Service Station but were mindful that the opening times should not give an unfair advantage over other licenced premises.

515 SMDC REQUEST FOR COUNCIL TO PROPOSE NAMES FOR THREE NEW ROADS FOR THE PENDING PLANNING APPLICATION AT CECILLY MILL, OAKAMOOR ROAD.

It was recommended that the following suggestions be sent to SMDC;

Brough Road, Close or Grove, Nicholson Road, Close or Grove, and Hall Road Close or Grove and in addition, Silk Mill Road, Close or Grove, Palm Brook Road, Close or Grove and Oakleys Road, Close or Grove.

There being no further business the meeting was brought to a close.

Signed ……

C O N F I D E N T I A L I T E M S

516 <u>REPORT OF CONFIDENTAIL ITEMS PAGE 160 AGENDA ITEM 492 WERE APPROVED BY RESOLUTION OF THE COUNCIL.</u>

There being no further business the meeting was brought to a close AT 8.05pm.

Signed…….