



ALDERLEY EDGE PARISH COUNCIL

Minutes of the Parish Council meeting held on Monday 29th September 2014

Present: Cllr MH Williamson (Chairman), Cllrs MJ Connor, F Keegan, MW Maczkowiak and N Schofield.

In attendance: 1 member of the press
Approx. 50 members of the public
Clerk: A. Ross

Meeting

Commenced: 7:30pm

1. Apologies for Absence.

Cllr JD Bergin, DG Herald, S Joseph and MD Lloyd.

2. To receive Declarations of interest and requests for dispensation to discuss, or discuss and vote on a matter in which a Member or co-opted Member has a Disclosable Pecuniary interest (DPI).

None

3. Public Participation – A period of not more than twenty minutes will be made available for the public to ask questions or submit comments.

6 residents expressed a wish to speak:

A resident read from a prepared statement (attached) stating that he thought the Parish Council were making a mistake in putting tonight's resolution on the agenda and the reasons why.

Reply from the Chairman – His reply was that the Parish Council have approached Cheshire East and they have devolved the matter in its entirety to the Parish Council.

A resident asked what power Cllr Keegan has over the Parish Council and accused him of being a bully, she also asked why; if there is a parking problem in the village did the Parish Council make the Festival Hall car park permit holders only.

Reply from the Chairman – The Chairman requested that the meeting be kept civil. On the Festival Hall car park he explained that when the car park was devolved to the Parish Council, the easiest interim short term solution in managing it was to make it permit parking only. Previous permit holders are currently on rolling one month contracts until building work starts.

A resident asked why the running of the allotments by the Allotment Society has been dissolved and had concerns about who would run the annual show.

Reply from the Chairman – The Parish Council decided to terminate the management agreement with AEAGS as it wants a wholesale review of the management arrangements. It has not excluded AEAGS completely and hopes that the new arrangements will take place in consultation with the Allotment Society.

Mr Simpson, Chairman of the Allotment Society wanted to back Mr Tomlinson's arguments and said he was disappointed with the Parish Council turnout. He confirmed that the Allotment Society will remain a society until they

dissolve themselves and will continue to do the annual show even if they don't carry on with the management agreements.

Reply from the Chairman –As the meeting was called at short notice there was a variety of reasons why other councillors were missing. It was confirmed that the meeting was quorate and had a legal right to pass the motion with the councillors in attendance.

Mr Dudley-Jones, President of the Allotment Society asked the Parish Council to confirm they have received legal advice stating that they have the power to change Heyes Lane allotment site from statutory to non-statutory. He believes that the twelve months notice given to allotment holders should start from the date the legal advice was received i.e. twelve months from 29th September, 2014. He asked for transparency and doesn't believe the Parish Council are acting in the interest of the majority of the village.

Reply from the Chairman – It was confirmed that the legal advice received answers all the questions and that the notice to quit issued some months ago is legal, enforceable and the Parish Council will act on it.

Mr Dudley-Jones then asked why the Parish Council didn't seek legal advice three months ago and there was a request that all legal advice received is published.

Reply from the Chairman – responded that the Parish Council has gone through a number of steps to reach this point and they will take the request to publish all legal advice received under advisement.

A resident gave his opinion that the Parish Council has a view that differs to the voters of Alderley Edge even though there is evidence from the voters that they want Heyes Lane allotment site to stay. He believes the Parish Council have made big mistakes in previous correspondence with allotment holders and that is why there is no enthusiasm to engage with the Parish Council. He also questioned the correctness of the legal advice received and doesn't believe the Parish Council has the power to change the statutory condition of an allotment site.

Reply from the Chairman – Quoted directly from an email received from DCLG 'There is no statutory definition of a statutory allotment' and reiterated that the Parish Council has confidence in the advice received from DCLG and legal advisors.

A resident spoke that she is aware of how law is formed and how legal advice is given. She believes advice given is dependent on the question asked, there is a lot of difference of opinion about the law and just because the Parish Council has this advice doesn't mean that it will be the final outcome.

Reply from the Chairman – The question asked was 'does the Parish Council need to have DCLG permission to dispose of the Heyes Lane allotment'. The opinion received came from both sides actively involved in a case just like this.

4. MOTION: that pursuant to legal advice regarding the status of Heyes Lane Allotment Site, AEPC resolves to amend the status from statutory to non-statutory.

Approval proposed by Councillor MH Williamson and seconded by Councillor F Keegan.

Cllr Williamson read from a prepared statement (attached) outlining the reasons for voting in favour of the resolution.

Cllr Keegan gave his reasons for voting in favour of the resolution. He believes the car park would be very beneficial to the village and would enable South Street car park to be changed to short stay which would aid turn over and benefit retailers and shoppers in the village. He thinks there is also a desperate need for 3 to 4 hour parking in the village which the new car park would address and would then enable the introduction of limited waiting bays on residential streets.

The motion was then put to the vote and it was RESOLVED unanimously that:

Pursuant to legal advice regarding the status of Heyes Lane Allotment Site, AEPC resolves to amend the status from statutory to non-statutory.

Minutes of the Parish Council Meeting Closed: 8:01pm

Councillor MH Williamson
CHAIRMAN