

## **LITTLE MARLOW PARISH COUNCIL**

**Community Office, The Pavilion, Church Road, Little Marlow, Bucks. SL7 3RS**  
**01628 890301**

### **Notice of the Meeting of Parish Council**

Membership: All Councillors

Dear Sir/Madam,

I hereby give notice that the **MEETING** of the Parish Council of the above named Parish will be held at THE PAVILION on **Tuesday – 23<sup>rd</sup> February at 8.00pm**. All members of the Council are hereby summoned to attend for the purpose of considering and resolving upon the business to be transacted at the meeting as set out hereunder.

*Emma Marsden*

Mrs E L Marsden - Clerk to the Council  
To Cllr

Dated 16<sup>th</sup> February 2016

### **BUSINESS TO BE TRANSACTED**

**All members of the press and public are invited to attend.**

1. To receive and accept any apologies for absence.
2. Declarations of Interest – personal or prejudicial
3. To approve the Minutes of Meeting on the 12<sup>th</sup> January 2016.
4. To take Reports from those Minutes for NOTE.
5. Finance: a) To approve Income and Expenditure report for January 2016  
b) To review charges for Burial Ground for 2016/17  
c) To consider new account for Reserves Monies  
d) Report from Budget Committee Meeting 20/1/16 and to approve minutes.  
e) Appoint Internal Auditor and approve RBS end of year financial audit.  
f) Increase Drop Box data storage for Council Data Back up.
6. Planning Report- a) Consideration of planning applications and decisions  
b) Wycombe District Council Transport Infrastructure Plan
7. Burial Ground - Wildlife Group planting scheme
8. Allotments – Consideration of rubbish clearance and improvements to the allotment site.
9. The Pavilion and Recreation Ground  
a) Consideration of quotation for concrete path  
b) Consideration of use of chairs and car park for Church Concert 27<sup>th</sup> February.  
c) Consideration of heating in Pavilion  
d) Latch on the table cupboards.
10. Abbotsbrook Hall  
a) Consideration of quotation for work to repair the car park.  
b) Consideration of next action in regards to payment of AB licence for usage of the car park.
11. Street Lights - consideration of additional expense of re-routing electricity to new lamps.
12. Quality Status – confirmation of Quality Status for NOTE
13. Review of Policies: a) Code of Conduct b) Data Protection Policy c) Standing Orders  
d) Disciplinary Procedure and Policy e) Grievance Policy and Procedure
14. LaFarge Tree Restoration Project: An update for NOTE.
15. Devolved Services - a) Expenditure against budget b) Additional footpaths – for NOTE
16. Newsletter Spring 2016 – consideration of deadline and articles to be included.
17. Reports from Meetings at Outside bodies:  
a) LM Schl Working Party b) Marlow Society c) SLCC Clerk training  
d) Abbey Barn Liaison Grp e) Chepping Wyc LAF f) WPH Athletics Club  
g) Marlow Community Forum
18. Correspondence to the Council.
20. Public Participation – maximum 15 minutes
21. Items to be included on next Agenda – 5<sup>th</sup> April 2016
22. Dates of Future Meetings:- 5<sup>th</sup> April, 17<sup>th</sup> May ACM & Parish Meeting, 27<sup>th</sup> May APM.

Date: 02/02/2016

Little Marlow Parish Council 2015/16

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Cash Book 1

User : ELM

Bank Current Account

For Month No : 10

Payments for Month 10

Nominal Ledger

Date	Payee Name	Cheque	£ Total Amnt	£ Creditors	£ V A T	A/c Centre	£ Amount	Transaction Detail
07/01/2016	Staples	DD	37.77		6.30	1123 101	31.47	Stationery
11/01/2016	S R Farm Services	003905	264.00			5551 505	264.00	Slip clearance
11/01/2016	HM Revenue Employer PAYE &	003906	169.76			1101 101	169.76	Qtr 3 NI and PAYE for employee
11/01/2016	Thames Water	00390	306.73			3112 301	213.20	Allotments
						2115 201	93.53	AB Water
11/01/2016	A E O'Shaughnessy	003908	120.00			3936 309	60.00	Boiler Services Pav Hall
						2136 201	60.00	Boiler Services AB Hall
11/01/2016	SSE Maintenance	003909	530.46		88.41	5136 501	442.05	4th Qtr Street Light Maintenance
11/01/2016	SSE Energy	003910	158.39		7.54	2115 201	150.85	Electric for AB Hall
11/01/2016	SSE Energy	003911	573.91		95.65	5114 501	478.26	Electric for Street Lights
11/01/2016	O2 (Telefonica)	003912	18.60		3.10	1121 101	15.50	Broadband
11/01/2016	South Bucks Tree Surgeons	003913	576.00		96.00	3571 305	480.00	Extra Cut on Sheepridge Lane
19/01/2016	EF Clean (Peter Lovell)	003914	200.00			5550 505	200.00	Sign cleaning
19/01/2016	ABA Construction -ARD	003915	42.00		7.00	3972 309	35.00	Qtr inspection P/Gr
19/01/2016	mh-p internet ltd	003916	72.00		12.00	1132 101	60.00	Hosting wsite 13/2/15-12/2/16
19/01/2016	Techniclean	003918	55.78		9.30	3916 309	24.40	Cleaning materials Pav
						2116 201	22.08	Cleaning materials AB
19/01/2016	South Bucks Tree Surgeons	003917	1,344.00		224.00	3571 305	1,120.00	Hedge clearance-Bell mouth
20/01/2016	Contract Natural Gas	DD	111.29		5.30	2115 201	105.99	Gas AB Hall
20/01/2016	Contract Natural Gas	DD	99.55		4.74	3915 309	94.81	Gas Pavilion
20/01/2016	Petty Cash Account	TOP UP	200.00			201	200.00	TOP UP PETTY CASH
28/01/2016	Veolia Environmental Services	DD	241.72		40.29	2117 201	100.71	Rubbish collection AB
						3917 309	100.72	Rubbish collection Pav
28/01/2016	Emma Marsden	SO	1,100.52			1101 101	1,100.52	Wages Jan 2016
28/01/2016	REDACTED	SO	68.03			2101 201	68.03	Wages Jan 2016
28/01/2016	Bucks County Council	DD	321.94			1101 101	321.94	Pension Jan Clerk
Total Payments for Month			6,612.45	0.00	599.63		6,012.82	
Balance Carried Fwd			2,732.98					
Cash Book Totals			9,345.43	0.00	599.63		8,745.80	

JANUARY 2016

Date: 02/02/2016

## Little Marlow Parish Council 2015/16

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Time: 14:37

Cash Book 1

User: ELM

Bank Current Account

For Month No : 10

## Receipts for Month 10

## Nominal Ledger Analysis

Receipt Ref	Name of Payer	£ Amnt Received	£ Debtors	£ VAT	A/c	Centre	£ Amount	Transaction Detail
Balance Brought Fwd :		6,433.71					6,433.71	
Banked on : 13/01/2016		1,538.00						
500202	Abbotsbrook Bridge Club	288.00			2180	201	288.00	Qtr 3 hire payment
500202	Bourne End Bridge Club	455.00			2180	201	455.00	Qtr 3 hire payment
500202	Bourne End Junior Sports Club	465.00			3980	309	465.00	Year hire of Rec Grd
500202	Weedon	330.00			3581	305	330.00	Memorial Ashes
Banked on : 15/01/2016		1,223.72						
VAT	HMRC Vat Return	1,223.72			105		1,223.72	Qtr 3 VAT Return
Banked on : 29/01/2016		150.00						
AB	Wayne Davie	150.00			2181	201	150.00	AB 2016 Car park Licence
Total Receipts for Month		2,911.72	0.00	0.00			2,911.72	
Cash Book Totals		9,345.43	0.00	0.00			9,345.43	

(2)



**LITTLE MARLOW PARISH COUNCIL**  
**FERN LANE BURIAL GROUND**  
**Recommendation for consideration**  
**Fees and Charges for the Financial Year 2015/16 2016/17**  
**(1<sup>st</sup> April 2015 – 31<sup>st</sup> March 2016)**

	Residents of Little Marlow Civic Parish *	Non-Residents
<b>Interments</b>		
Stillbirths	£20	£65
Child up to 12 years of age	£65 <del>£100</del>	£195 <del>£300</del>
Other Burials 12+	£110 <del>£ 220</del>	£330 <del>£660</del>
Ashes	£110 <del>£150</del>	£330 <del>£450</del>
<b>Purchase of Exclusive Rights (50 years duration)</b>		
Full Burial Area	£175 <del>£200</del>	£525 <del>£600</del>
In area reserved for ashes	£110 <del>£150</del>	£330 <del>£450</del>
<b>Memorials</b>	<b>Memorial costs to remain un-changed</b>	
Right to erect a headstone in accordance with regulations (grave)	£145	£435
Right to erect a headstone in accordance with regulations (ashes)	£110	£330
Kerbs or flat slabs where permitted	£215	£645
Added inscription after the first	£35	£35
<b>Other fees and charges</b>		
Sexton's fee (burial)	£30 <del>£35</del>	£30 <del>£35</del>
Hire of Chapel	£65	£65
Re-purchase of Exclusive Rights of grave space after lapse/expiry for a further period of 25 years – applicable to grave spaces purchased before 31 <sup>st</sup> December 2009	£105 <del>£120</del>	£105 <del>£120</del>
Extension of ownership for a further 25 years – applicable to grave spaces purchased after 1 <sup>st</sup> January 2010 only	£25 <del>£40</del>	£25 <del>£40</del>

\* Residency is determined by inclusion on electoral roll. Consideration will be given if the deceased has recently removed from the Parish to a residential home outside the Parish.

# AGENDA ITEM 5C

## **RESERVE ACCOUNT – Working paper- Council Meeting 23<sup>rd</sup> February 2016**

### **Possible options:**

Leave the monies within the Lloyds Bank and RESOLVE to accept the risk regarding the maximum of £75,000 compensation. Other Councils have taken this option.

Set up a bank account with a different provider.

All figures quoted below are constantly changing.

Natwest – based on reserve account having £40,000

Business Access Account

30 day notice account

0.1% interest.

HSBC

Online Bonus Saver

Accessed via internet only

0.1% interest

NS&I

Income Bonds

Access to money – via telephone or post

1.25% interest

## LITTLE MARLOW PARISH COUNCIL

**Minutes** of the Budget / Finance Committee held on 20<sup>th</sup> January 2016 at  
The Pavilion, Church Road, Little Marlow, Bucks SL7 3RS commencing at 12.30pm

### UNCONFIRMED

<b>Present:</b> Cllr K Acres - Chairman Cllr G Fitchew                      Cllr Emmett Cllr V Morton                      Cllr Downes Cllr V Brownridge attended as an ex-officio member		
Mrs E Marsden Parish Clerk		No Members of the public present
<b>Minute Ref:</b>	<b>Agenda Item</b>	<b>Action</b>
<b>F07/16</b>	<b>1. Apologies for Absence</b> None	
<b>F08/16</b>	<b>2. Declarations of interest – personal or prejudicial</b> None	
<b>F09/16</b>	<b>3. To approve minutes from meeting 23<sup>rd</sup> September 2015</b> The minutes accepted and <b>RESOLVED</b> .	
<b>F09/16</b>	<b>3 Review of Budget 2014/15</b> The Clerk gave an overview of the current budget and outlined agreed expenditure which would fall in the fourth quarter. The main expense would be the VAS. Cllr Downes has some questions regarding grants and devolved services. Cllr Brownridge asked for clarity on expenditure on the Cemetery Bell Mouth project. The Clerk asked for clarity on the tree work at the Recreation Ground. It was <b>AGREED</b> that this work would be considered after the Tree survey had been undertaken which had been previously <b>RESOLVED</b> at Full Council.	Clerk
<b>F010/16</b>	<b>4. Items of Note</b> None	
<b>F011/16</b>	<b>5. Dates of Future Meetings</b> 13 <sup>th</sup> April, 20 <sup>th</sup> July, 5 <sup>th</sup> October 2016	
There being no further business to be transacted the meeting was closed at 13.00		

**Abbreviations:**

LMPC	Little Marlow Parish Council	WDC	Wycombe District Council
BCC	Bucks County Council	TfB	Trans[port for Bucks
CDC	Chiltern District Council	RTR	RESOLVED to RECOMMEND
RBS	Rialtus Business Software (LMPC Accounts Software)		

Signed: .....  
Chairman

Date: .....

## Little Marlow Parish Council

### Planning Report – 23<sup>rd</sup> February 2016 Council Meeting

Planning applications received from Wycombe District Council have a deadline date of when consultation comments must be submitted. The Council may discuss additional applications which have been received after the Agenda has been issued, to ensure this deadline has been met. Any queries, please contact the Clerk on 01628 890301.

#### **Applications Received**

<b>App. No.</b>	<b>Location</b>	<b>Description</b>
<u>16/05300/FUL</u>	Elmtrees Park Winchbottom Lane Little Marlow	Application to allow an increase of number of pitches on site from 20 to 21 to allow the siting of one additional mobile home
<u>16/05273/FUL</u>	The Millstone Marlow Road Bourne End	Householder application for erection of single storey in-fill extension to rear & single storey side extension
<u>16/05184/FUL</u>	Selby Cottage Marlow Road Bourne End	Householder application for construction of two storey front extension, removal of existing dormer and formations of two front dormers, construction of new front porch and alterations to materials
<u>16/05182/CLP</u>	Stallworthy Westhorpe Park Little Marlow	Certificate of lawfulness for proposed erection of single storey detached outbuilding
<u>16/05149/CTREE</u>	7 Well End Cottages Marlow Road Bourne End	Take down the large Norway Spruce (ID# 1) located at the rear garden on east boundary
<u>16/05112/CTREE</u>	Little Streams The Avenue Bourne End	Side lateral reduction of the branch length back to a suitable branch union from over the drive parking area to the edge of the retaining wall to Cherry Plum T1 and Fell Apple T2

Please note all applications with reference /CTREE/ CTR or /TPO the Council resolved to submit the following comment: **The Parish Council has no objection provided the work carried out is under the supervision of the WDC Tree Officer. The Council is not re-consulted on /MIN applications**  
Press Ctrl and click to access applications

#### **Decisions**

**Case Ref:** 15/08267/PN **Decision** Details Refused **Date:** 15/01/201

**Address:** Merton Dell Farm Monkton Lane Little Marlow Buckinghamshire SL7 3RE

**Proposal:** Prior Notification (Part 3, Class R) for change of use of 149 sm of barn area from Agricultural to D2 (Assembly and Leisure)

**Case Ref:** 15/08292/FUL **Decision** Application Permitted **Date:** 21/01/201

**Address:** Pigeon House Farm Sheepridge Lane Little Marlow Buckinghamshire SL7 3SG

**Proposal:** Change of use from redundant agricultural barns to storage (Class B8)

**Case Ref:** 15/08376/CTR **Decision** Not to make a Tree Preservation Order **Date:** 20/01/201

**Address:** The Manor House Church Road Little Marlow Buckinghamshire SL7 3RZ

**Proposal:** Reduce side growth from 2 Copper Beech in tree belt by 2.5-3 metres to improve shape and mitigate risk of limb loss from squirrel damage; brace 4 Plane tree; lift 5 Beech by bridge to lift to 4.5-5 metres (secondary branch structure only) to improve light penetration; reshape 6 Yew beside house by reducing over extended sections by 1-1.5 metres using 14 metre MEWP; lift 7 3 x Yew trees on area right hand side of gate by 4 metres; raise canopies of 8 2 x Yew to 2.5

#### **Glossary:**

WDC – Wycombe District Council

TPO – Tree Preservation Order

N/O - No Objections

CLP Certificate of Lawful Proposed Use

metres and remove any major deadwood over 20mm in diameter and reduce overextended sections back to previous points. Lift lower canopy on Sycamore Avenue at rear of garden 30 trees fell and re-plant plane tree by large oak that has defective limb union epicormic growth removal by hand on lime trees by house and church wall.

*Case Ref:* **15/08519/CTR** *Decision* Not to make a Tree Preservation Order *Date:* **29/01/2016**

*Address:* Orchard Croft The Drive Bourne End Buckinghamshire SL8 5RE

*Proposal:* Fell 3 no. Conifers to front of house

*Case Ref:* **15/08362/FUL** *Decision* Application Permitted *Date:* **04/02/2016**

*Address:* Trees The Avenue Bourne End Buckinghamshire SL8 5RD

*Proposal:* Householder application for construction of two storey front extension and fenestration alterations

*Case Ref:* **15/08442/FUL** Application Permitted *Date:* **05/02/2016**

*Address:* 6 Abbey Road Bourne End Buckinghamshire SL8 5NZ

*Proposal:* Householder application for replacement of existing ground floor conservatory with part ground floor rear extension and part first floor rear extension



# AGENDA ITEM 8

## Allotments – Working Paper for Council Meeting 23<sup>rd</sup> February 2016

### Site visit – Saturday 6<sup>th</sup> February 2016

#### Objective

To try and understand which tenants have which plots as the Allotment plan does not seem to tally with which tenants have. It was very difficult to advise new tenants of what is available.

Met with approximately 10 tenants who showed me their plots and where their boundaries are. I also met with three new tenants and was able to identify new plots for them.

#### Issues:

It is going to take quite a bit of effort to fully understand 'who has what'. I have since re-visited the allotment site to try and start drawing a map.

There is excess rubbish everywhere, particularly by the hedge and entrance. I suspect there has been some 'tipping' of rubbish – including a fridge and batteries!



The hedge by the roadside is very overgrown and is encroaching into allotment plots on this side and it needs cutting back.

There is no proper fence the other side (which borders farm land) this is a mis-mash of fencing which has been put up by tenants.

There is no identification of plots. It is almost impossible to know who has what number. Plots have been sub-divided over the years and so we have tenants who think they have same number. It is also very difficult for new tenants to identify vacant plots. It really needs completely re-numbering.

We had an excessive bill for water over the winter period – September to December. I asked Thames Water to investigate if there was a leak. They visited the site and confirmed there wasn't any leak and perhaps the taps had been left on. The taps are a bit 'rickety' and probably could do with looking at by a plumber.

The grass cutting is currently undertaken by an Allotment Holder.

#### **Actions to be considered**

- Getting a skip to clear the rubbish.
- Cut back the hedgerow by the road.
- Put up some 'proper' chain link fencing along the border of the allotments.
- Provide posts on each allotment plot, with a number sign on it – for identification of plots.
- Consider a plumber looking at the taps.

I have another meeting scheduled with the Allotment Holders on Saturday 19<sup>th</sup> March 2016.

# Little Marlow Parish Council

## Code of Conduct for Members

Resolved at the Council Meeting 23<sup>rd</sup> February 2016

### 1 Application

This Code of Conduct applies to you whenever you are acting in your capacity as a member of Little Marlow Parish Council, including –

- 1.1 at formal meetings of the Council, its Committees and Sub-Committees
- 1.2 when acting as a representative of the parish council
- 1.3 in taking any decision as a Councillor
- 1.4 in discharging your functions as a Councillor
- 1.5 at briefing meetings with officers and
- 1.6 at site visits
- 1.7 when corresponding with the parish council other than in a private capacity

### 2 General Conduct

You must –

- 2.1 provide leadership to the parish council and communities within its area, by personal example and
- 2.2 respect others and not bully any person
- 2.3 observe the Council's Member – Officer Relationship Protocol and recognise that Officers of the Council are employed by and serve the whole Council.
- 2.4 respect the confidentiality of information which you receive as a member –
  - 2.4.1 not disclosing confidential information to third parties unless required by law to do so or where there is a clear and over-riding public interest in doing so; and
  - 2.4.2 not obstructing third parties' legal rights of access to information
- 2.5 not misconduct yourself in a manner which is likely to bring the parish council into disrepute
- 2.6 use your position as a member in the public interest and not for personal advantage
- 2.7 accord with the parish council's reasonable rules on the use of public resources for private and political purposes
- 2.8 exercise your own independent judgement, taking decisions for good and substantial reasons –
  - 2.8.1 attaching appropriate weight to all relevant considerations including, where appropriate, public opinion and the views of political groups
  - 2.8.2 paying due regard to the advice of officers, and in particular to the advice of the officers, and
  - 2.8.3 stating the reasons for your decisions where those reasons are not otherwise apparent
- 2.9 account for your actions
- 2.10 ensure that the parish council acts within the law.
- 2.11 When dealing with planning matters, observe the Council's Planning Protocol as outlined within Standing Orders.



### **3 Disclosable Pecuniary Interests**

You must -

3.1 Register any disclosable pecuniary interest of yourself or a 'relevant person'(1) (as set out in Appendix to this Code) with the Monitoring Officer within 28 days of the adoption of this code.

(1) 'relevant person' means:

a) your spouse or civil partner or;

b) a person with whom you are living with as husband or wife or;

c) a person with whom you are living as if you are civil partners; and

You are aware that the other person has the interest

3.2 comply with the statutory requirements to register, disclose and withdraw from participating in respect of any matter in which you have a disclosable pecuniary interest

3.3 ensure that your register of interests is kept up to date and notify the Parish Clerk, who will notify the Monitoring Officer, in writing within 28 days of becoming aware of any change in respect of your disclosable pecuniary interests

3.4 make verbal declaration of the existence and nature of any disclosable pecuniary interest at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent

3.5 "Meeting" means any meeting organised by or on behalf of the parish council, including -

3.5.1 any meeting of the Council, or a Committee or Sub-Committee of Council

3.5.2 in taking a decision as a Councillor or as a Member

3.5.3 at any briefing by officers; and

3.5.4 at any site visit to do with business of the parish council

### **4 Other Interests**

4.1 In addition to the requirements of Paragraph 3, if you attend a meeting at which any item of business is to be considered and you are aware that you have a "non-disclosable pecuniary interest or non-pecuniary interest" in that item, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent

4.2 You have a "non-disclosable pecuniary interest or non-pecuniary interest" in an item of business of your authority where -

4.2.1 a decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the parish/town area for which you have been elected or otherwise of the authority's administrative area, or

4.2.2 it relates to or is likely to affect any of the interests listed in the Table in the Appendix to this Code, but in respect of a member of your family (other than a "relevant person") or a person with whom you have a close association

and that interest is not a disclosable pecuniary interest.

### **5 Gifts and Hospitality**



5.1 You must, within 28 days of receipt, notify the Clerk in writing of any gift, benefit or hospitality with a value in excess of £50 which you have accepted as a member from any person or body other than the authority.

5.2 The Clerk will place your notification on a public register of gifts and hospitality.

5.3 This duty to notify the Clerk does not apply where the gift, benefit or hospitality comes within any description approved by the Council for this purpose.

6. Compliance with the Code of Conduct

6.1 Though it is no longer compulsory under the law for Members to declare that they will abide by the Code of Conduction which is for the time being in force, Little Marlow Parish Council has nonetheless resolved (23<sup>rd</sup> February 2016) that it expects and encourages all its Members to do so, and will publish a list of Members who have voluntarily agreed to do so.

(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

For this purpose –

“the Act” means the Localism Act 2011;

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of an industrial and provident society;

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“M” means a member of a relevant authority;

“member” includes a co-opted member;

“relevant authority” means the authority of which M is a member;

“relevant period” means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) or 31(7), as the case may be, of the Act;

“relevant person” means M or any other person referred to in section 30(3)(b) of the Act;

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

NO CHANGES RECOMMENDED

## LITTLE MARLOW TOWN COUNCIL

### DISCIPLINARY POLICY & PROCEDURE

Adopted June 2012  
Reviewed 23rd February 2016

This procedure is designed to help and encourage all employees to achieve and maintain standards of conduct, attendance and job performance. The aim is to ensure consistent and fair treatment for employees whilst promoting orderly employment relations.

Formal disciplinary action will not normally be considered as a first step (except in cases of potential Gross Misconduct). Informal discussions will be used to seek to resolve problems in the first instance. However, there will be recourse to the formal procedure for persistent breaches of conduct, if there is no improvement in performance within a reasonable period, or if the required improvement fails to be maintained.

Examples of misconduct that could result in disciplinary action are listed in Appendix One.

#### INFORMAL PROCEDURE

Minor problems will be dealt with informally, and the employee will be clearly told why and how their performance/conduct needs to change and the consequences of failing to improve. A brief note of the date on which the issue was discussed and what action was agreed will be made in the personnel records of the employee. Subject to satisfactory conduct and performance, the note will be destroyed after 6 months and the employee notified accordingly. Where the matter is more serious or where informal discussions and counselling have not succeeded in achieving the required result, the formal disciplinary procedure will be used.

#### PRINCIPLES OF THE DISCIPLINARY PROCEDURE

- (i) The Parish Council Clerk has overall responsibility for the management and discipline of all Council staff. However, where the Clerk is the subject of disciplinary action the Chairman of the Parish Council HR Committee is responsible for discipline.
- (ii) The Council acknowledges that there is a distinction between the **conduct** of an employee and their **capability**. In the case of a problem resulting from the employee's capability, contributory factors will be carefully considered, such as ill health, serious home-based problems or a lack of skill or knowledge. If the matter is due to a lack of skill or knowledge, the Council will ensure that by appropriate training, mentoring and guidance, the employee has the

opportunity to improve. The improvement required will be clearly explained to the employee, along with what support will be given and how performance will be monitored and reviewed.

- (iii) An employee will have the right to appeal against any disciplinary penalty imposed during the disciplinary procedure.
- (iv) The disciplinary procedure is comprised of three stages. However, after proper consideration, the procedure may be implemented at any stage if the employee's alleged misconduct warrants such action.
- (v) No employee will be dismissed for a first breach of discipline, except in the case of Gross Misconduct, when the penalty is usually dismissal without notice or payment in lieu of notice.
- (vi) If the employee has difficulty reading, or if English is not their first language, any written documentation, e.g. invitations to Disciplinary Hearings or written warnings, will also be explained to them orally by their line manager. Additional support that may be required at a Disciplinary Hearing will also be taken into consideration and provided as appropriate.

## **DISCIPLINARY INVESTIGATIONS**

No disciplinary action will be taken against an employee until the case has been fully investigated by an unbiased investigator. This will usually be the employee's line manager, or a Member of the Parish Council HR Committee in the case of the Parish Council Clerk. However, if the manager or Member was in some way involved in the matter, wherever possible another manager or Member will conduct the investigation. Investigatory meetings may be held to establish the facts; in this instance it will be made clear to the employee that these meetings are not Disciplinary Hearings. The employee may be represented at investigatory meetings by a Trade Union representative, employee representative or work colleague. The person in charge of the investigation should be advised in advance by the employee if they are to be accompanied.

All relevant facts should be accurately recorded promptly before memory fades, including anything that the employee wishes to say. Where there are witnesses to the alleged misconduct, statements should be obtained from them at the earliest opportunity.

In any investigations involving allegations of criminal acts, the Parish Council Clerk will consult in confidence with the Chairman of the Parish Council HR Committee and Trade Union, if appropriate, before a decision is made to put the case in the hands of the police. Where the Parish Council Clerk is the subject of the investigation, the Chairman of the Parish Council HR Committee, in consultation with another member of the HR Committee, shall decide.



Whilst an investigation is taking place, it may be necessary to suspend the employee on full pay pending the outcome of the investigation. Suspension may only be warranted in certain cases, e.g. where relationships have broken down or there are risks to council property and/or to other persons. However, a suspension will only be imposed after careful consideration and will be reviewed to ensure that it is kept as brief as possible. It will be made clear to the employee that the suspension is not considered a disciplinary action and does not involve any pre-judgement.

If it is decided, following investigation, that there is a case to answer, the below Disciplinary Hearing procedure will be employed.

## **DISCIPLINARY HEARINGS**

### **(i) Definition**

A meeting which could result in a formal warning that an employee must improve their conduct or performance, some other sanction as provided for within this procedure, or which may result in dismissal, other than in the circumstances set out under "Exceptions, Other Cases", is referred to as a Disciplinary Hearing.

### **(ii) Notification**

For every stage in the disciplinary procedure, the employee will be given adequate notice (five working days) in writing of the Disciplinary Hearing to be held, including the nature and basis of the complaint against them and provided with copies of any supporting evidence, including any witness statements. The letter will contain enough information for the employee to be able to understand both what it is they are alleged to have done and the reasons why this is not acceptable. The notice will give details of the time and venue for the hearing and remind the employee of the right to be accompanied. It will be made clear that the employee has the right to appeal any decision taken at the hearing.

Where the presenting manager or employee intends to call relevant witnesses, they should give advance notice that they intend to do this to the person conducting the hearing.

### **(iii) Timing**

Where possible, the timing and location of the Disciplinary Hearing will be agreed with the employee. The hearing will be held without unreasonable delay, but the employee will be given reasonable time to prepare their case (a minimum of five working days). Hearings will be held in privacy, where there will be no interruptions. If the employee fails to attend without good reason, the Council may decide to proceed with the hearing in their absence. If the employee fails to attend through circumstances outside their control and unforeseeable at the time the meeting was arranged, e.g. through illness, another meeting will be arranged. However, should the employee fail to attend the re-arranged meeting without good reason, the

hearing will proceed and a decision will be taken in their absence based on the available evidence.

**(iv) Representation**

The employee has the right to be accompanied by a Trade Union representative, employee representative or work colleague during any Disciplinary or Appeal Hearing. The line manager or member of the HR Committee who called the Hearing should be advised in advance by the employee if they are to be accompanied. The employee's representative, or colleague, will be given all the documentation that has been given to the employee. If the employee's representative cannot attend on the proposed date, the employee can suggest another date, so long as it is reasonable and not more than five working days after the date originally proposed by the council. However, the five-day limit can be extended by mutual agreement.

**(v) Conducting the Hearing**

Where practicable, the Disciplinary Hearings will be conducted by a manager or Member who did not conduct the Disciplinary Investigation and has not had previous involvement in the case (this includes conducting a hearing at a previous stage). Those conducting Disciplinary Hearings will keep an open mind and not pre-judge the matter.

The precise allegations will be read out at the start of any Disciplinary Hearing.

The hearing will proceed as follows:

1. The presenting manager will state their case, including presenting any evidence and calling witnesses.
2. The employee (or their representative) and the manager/Member conducting the hearing have the opportunity to ask questions of the presenting manager and their witnesses.
3. The employee (or their representative) present their case, including presenting any evidence and calling witnesses.
4. The presenting manager and the manager/Member conducting the hearing have the opportunity to ask questions of the employee, their representative and their witnesses.
5. Both parties have the opportunity to sum up.

## **TAKING DISCIPLINARY ACTION**

**(i) Deciding Upon Disciplinary Action**

Following the investigation and the Disciplinary Hearing, the manager/Member conducting the hearing will decide if disciplinary action is necessary.

Before taking disciplinary action, the following factors must be considered: the employee's disciplinary and general record, length of service, any current warnings, actions taken in any previous similar case, the explanations given by the employee,

including any mitigating circumstances, and whether the disciplinary action is reasonable under the circumstances.

**(ii) Notification**

If it is decided that disciplinary action is not justified, the employee will be notified of this decision in writing within five working days.

If disciplinary action is to be taken following a Disciplinary Hearing, the employee will be told in writing within five working days of the disciplinary action to be imposed, the time period of the warning, why and how their conduct or performance needs to change, the timescale for the required improvement, a review date (where appropriate), any support the council will offer to improve performance (where appropriate), the consequences of failing to improve conduct or performance within the required time period and their right to appeal against the decision if they are not satisfied with it. A copy of this letter will also be sent to the employee's representative. A copy will be held on the employee's personnel file for disciplinary purposes for the relevant period according to the level of warning. The employee will be notified within the letter for how long the warning will remain current. Where the set time period is less than a year, the council will store the records securely for a year in total before destroying them, to ensure that adequate records are available in the event of a tribunal.

**DOCUMENTATION**

During the disciplinary process, written records will be kept. These will include: the complaint against the employee, the employee's defence, findings made and actions taken, the reasons for action taken and if an appeal was lodged and the outcome of the appeal.

Records will be treated as confidential and kept no longer than necessary. Records will be discarded for disciplinary purposes after set periods, depending upon the stage of the procedure that they relate to. The council will store the records securely for a year in total before destroying them, to ensure that adequate records are available in the event of a tribunal. Copies of meeting records will be provided to the employee, although in certain circumstances some information may be withheld by the council, e.g. to protect a witness.

**THE DISCIPLINARY PROCEDURE**

**Stage One – First Level Warning**

The employee will be invited in writing to a Disciplinary Hearing in accordance with the procedures set out earlier in this policy. If the employee doesn't give a satisfactory explanation, a formal First Level Warning may be given. They will be advised in writing of the reason for the warning and that it is the first stage of the formal disciplinary procedure. The warning letter will also give details of the

improvement required, the timescale for improvement and a review date. The letter will also inform the employee of the right to appeal and that action under Stage Two will be considered if there is no satisfactory improvement within the specified time period.

A copy of this warning will be kept in the employee's personnel file and used as the basis for monitoring and reviewing conduct/performance. The warning will be discarded for disciplinary purposes after 6 months, subject to satisfactory conduct or performance. The Council will store the warning securely for a year in total before destroying it, to ensure that adequate records are available in the event of a tribunal.

### **Stage Two – Final Warning or Disciplinary Suspension**

If there is a failure to improve following Stage One, and conduct or performance of the same nature is still unsatisfactory, or if the misconduct is sufficiently serious to warrant only one written warning, but insufficiently serious to justify dismissal (in effect both the first and final written warning), a Disciplinary Hearing will be held to which the employee will receive a written invitation. If the employee is unable to give a satisfactory explanation, a FINAL WRITTEN WARNING will normally be given to the employee. This will give details of the complaint, the improvement required and timescale involved and will warn that further disciplinary action, including potential dismissal, will result if there is no satisfactory improvement and will advise of the right of appeal. A copy of this final written warning will be kept on the employee's personnel file and used as the basis for monitoring and reviewing conduct/performance, but it will be destroyed after 12 months, subject to satisfactory conduct or performance.

Alternatively, consideration will be given to imposing the penalty of suspension without pay for up to a maximum of five days. A record of this suspension will be kept on the employee's personnel file and used as the basis for monitoring and reviewing conduct/performance, but it will be destroyed after 12 months, subject to satisfactory conduct or performance.

### **Stage Three – Dismissal**

Following Stage Two, if the particular conduct or performance is still unsatisfactory and the employee still fails to reach the prescribed standards, the employee will receive a written invitation to a Disciplinary Hearing. If the employee is unable to give a satisfactory explanation, DISMISSAL will normally result. The decision to dismiss is taken by the Parish Council Clerk. Where the Clerk is the subject of the disciplinary action, the decision to dismiss will be taken by members of the HR Committee (the full committee will not be involved in the decision to dismiss to enable an unprejudiced Appeals Panel to operate in the event of an appeal). The employee will be provided with written reasons for dismissal within five working



days, the date on which employment will terminate, the appropriate period of notice or payment in lieu of notice and their right of appeal.

## **APPEALS**

If an employee wishes to appeal against disciplinary action which has been taken against them the following procedure will apply:

- (i) The employee will give Notice of Appeal to the Parish Council Clerk or Chairman of the Parish Council HR Committee (where the Clerk is the appellant) within five working days of the date on which they received the decision notice of the disciplinary action to be taken against them, setting out their grounds for appeal. The Parish Council Clerk or Chairman of the Parish Council HR Committee will arrange for the matter to be considered by an Appeals Panel at an agreed time and place wherever possible. The Appeals Panel will not include Members or officers who have previously been involved in the case.
- (ii) The employee, in consultation if they wish with their trade union or staff representative, should provide the Parish Council Clerk or Chairman of the Parish Council HR Committee with a full written statement of their case, no later than five working days prior to the appeal hearing. The presentation of the written statement above shall not preclude elaboration or additions by either party at the Appeal Hearing. However, management should not introduce new evidence at the appeal stage to justify an earlier disciplinary decision.
- (iii) The Appeal will be heard as soon as possible and normally this will be within three weeks of receipt of Notice of Appeal. However, the Appeal Hearing need not take place before the disciplinary action takes effect. The employee will be issued with a letter, inviting them to attend the Appeal Hearing and notifying them of the time and venue for the hearing, their right to call witnesses and to be accompanied. The employee should notify the council of who their representative is to be and whether they will be calling any witnesses. The employee may present their case in person or be represented by their trade union representative or workplace colleague and may call witnesses and produce documents relevant to their case.

The Appeal Hearing will be conducted as follows:

1. The presenting manager will state their case, including presenting any evidence and calling witnesses.
2. The employee (or their representative) and the Member conducting the hearing have the opportunity to ask questions of the presenting manager and their witnesses.
3. The employee (or their representative) present their case, including presenting any evidence and calling witnesses.

4. The presenting manager and the Member conducting the hearing have the opportunity to ask questions of the employee, their representative and their witnesses.
  5. Both parties have the opportunity to sum up.
- (iv) At the conclusion of the hearing the Appeals Panel shall adjourn to consider their decision. It is possible that disciplinary penalties may be increased on appeal. The Panel may announce their decision verbally, but, in any event, will confirm their findings in writing to the employee concerned within five working days of the Appeal Hearing. There will be no further right of appeal.

## **SPECIAL SITUATIONS**

### **1. DISCIPLINARY PROCEDURE RELATING TO TRADE UNION ACTIVITIES**

No disciplinary action will be taken against a Shop Steward until the circumstances of the case have been discussed with the Parish Council Clerk and a full time official of the Trade Union concerned. No disciplinary action will be taken against any employee in respect of alleged misdemeanours which stem from Trade Union activities until such matters have been discussed with the Parish Council Clerk and Trade Union Secretary as appropriate. In the event that the employee concerned is the Parish Council Clerk, no action will be taken against them until the matters have been discussed with the Chairman of the HR Committee and Trade Union Secretary as appropriate.

### **2. CRIMINAL CHARGES OR CONVICTIONS NOT RELATED TO EMPLOYMENT**

If an employee is charged with, or convicted of, a criminal offence that is unrelated to their work, this is not in itself a reason for disciplinary action. The Parish Council Clerk will establish the facts of the case and will consider whether the employee's conduct merits further investigation or action under this procedure. Where the Parish Council Clerk is the employee in question, the Chairman of the HR Committee will take the decision whether further investigation or action under this procedure is required. The main considerations will be whether the offence or alleged offence makes the employee unsuitable for their type of work and the impact it will have on their relationship with their employer, work colleagues and customers. An employee should not be dismissed solely because they are absent from work as a result of being remanded in custody.

### **3. OVERLAPPING GRIEVANCE AND DISCIPLINARY CASES**

If an employee raises a grievance during the disciplinary process, the disciplinary process may be temporarily suspended in order to deal with the grievance. However, where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently.

## EXCEPTIONS

### 1. GROSS MISCONDUCT

Gross misconduct is regarded as misconduct serious enough to destroy the trust within the employment contract, thus making any further working relationship impossible.

The following list provides examples of offences which are normally regarded as gross misconduct:

- theft, fraud, deliberate falsification of records;
- physical violence, assault on another person;
- deliberate and serious damage to council property;
- serious misuse of the council's property or name;
- serious incapability through alcohol or being under the influence of illegal drugs;
- serious breach of health and safety regulations;
- serious negligence which causes unacceptable loss, damage or injury;
- serious act of insubordination;
- unlawful discrimination or harassment;
- bringing the council into serious disrepute;
- criminal offence, whether committed on or off duty, which is of such a nature that it fundamentally breaches the trust which is the basis of the contractual relationship.

The standard Disciplinary Procedure does not apply in cases of Gross Misconduct.

If an employee is accused of an act of Gross Misconduct, he/she may be suspended from work on full pay while the alleged offence is investigated. Suspension may only be warranted in certain cases, e.g. where relationships have broken down or there are risks to council property and/or to other persons. However, a suspension will only be imposed after careful consideration and will be reviewed to ensure that it is kept as brief as possible. It will be made clear to the employee that the suspension is not considered a disciplinary action and does not involve any pre-judgement. The investigation will be conducted by a manager or Member, who wherever possible was not involved in the matter.

If, on completion of the investigation, it is decided that there is a case to answer, the employee will receive a letter informing them of the allegations and inviting them to attend a Disciplinary Hearing, where they will have the opportunity to put their case. The conditions of the Disciplinary Hearing in the case of Gross Misconduct are the same as for hearings held as part of the standard disciplinary procedure.

If, on completion of the investigation and the Disciplinary Hearing, the manager or Member conducting the hearing is satisfied that Gross Misconduct occurred, the result will normally be summary dismissal without notice or payment in lieu of notice. The decision to dismiss is taken by the Parish Council Clerk. Where the Clerk is the subject of the disciplinary action, the decision to dismiss will be taken by members of the HR Committee (the full committee will not be involved in the decision to dismiss to enable an unprejudiced Appeals Panel to operate in the event of an appeal). Within five working days, the employee will be provided with a letter specifying the misconduct which has led to the dismissal and their right of appeal, following the Appeals Procedure outlined earlier in this document.

## **2. OTHER CASES**

The Disciplinary Procedure does not apply to termination of employment in the following cases:

- (i) on termination of a fixed-term or temporary contract;
- (ii) in the event of redundancy, including if making more than twenty people redundant at one establishment in a period of ninety days when a different statutory regime applies;
- (iii) where dismissal arises from unsuitability for confirmation of employment. (N.B. although this period is normally up to six months this may be extended for up to a further six months);
- (iv) where the employee cannot continue in the particular position without contravening a statutory requirement

## **REVISIONS**

The policy will be reviewed every four years. In the event that a disciplinary event arises, Little Marlow Parish Council will take the opportunity to examine its policy, procedures and working methods to see if they can be improved.

Adopted: 6 June 2012



## **APPENDIX ONE – Examples of Conduct and Performance Issues Resulting in Disciplinary Action**

- Unsatisfactory attendance or timekeeping
- Failure to follow health and safety regulations
- Breaches of council policies
- Unauthorised absence from the work place
- Unwillingness to carry out reasonable duties
- Negligence in the use of council property or equipment
- Failings in preserving the dignity, respect and privacy of others
- Failure to follow instructions
- Failure to comply with workplace targets

This list is not exhaustive.

NO CHANGES  
RECOMMENDED

## **Data Protection Policy**

**Little Marlow Parish Council Registration Number Z3112320**

**Adopted 2012 – Reviewed 23<sup>rd</sup> February 2016**

### **Introduction**

The Parish Council is fully committed to compliance with the requirements of the Data Protection Act 1998 ("the Act"), which came into force on the 1<sup>st</sup> March 2000.

The council will therefore follow procedures that aim to ensure that all employees, elected members, contractors, agents, consultants, partners or other servants of the council who have access to any personal data held by or on behalf of the council, are fully aware of and abide by their duties and responsibilities under the Act.

### **Statement of policy**

In order to operate efficiently, The Parish Council has to collect and use information about people with whom it works. These may include members of the public, current, past and prospective employees, clients and customers, and suppliers. In addition, it may be required by law to collect and use information in order to comply with the requirements of central government. This personal information must be handled and dealt with properly, however it is collected, recorded and used, and whether it be on paper, in computer records or recorded by any other means there are safeguards within the Act to ensure this.

The Parish Council regards the lawful and correct treatment of personal information as very important to its successful operations and to maintaining confidence between the council and those with whom it carries out business. The council will ensure that it treats personal information lawfully and correctly. To this end the council fully endorses and adheres to the Principles of Data Protection as set out in the Data Protection Act 1998.

### **The principles of data protection**

The Act stipulates that anyone processing personal data must comply with **Eight Principles** of good practice. These Principles are legally enforceable.

The Principles require that personal information:

1. Shall be processed fairly and lawfully and in particular, shall not be processed unless specific conditions are met;
2. Shall be obtained only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose

or those purposes;

3. Shall be adequate, relevant and not excessive in relation to the purpose or purposes for which it is processed;

4. Shall be accurate and where necessary, kept up to date;

5. Shall not be kept for longer than is necessary for that purpose or those purposes;

6. Shall be processed in accordance with the rights of data subjects under the Act;

7. Shall be kept secure i.e. protected by an appropriate degree of security;

8. Shall not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of data protection.

The Act provides conditions for the processing of any personal data. It also makes a distinction between **personal data** and **“sensitive” personal data**.

Personal data is defined as, data relating to a living individual who can be identified from:

- That data;
- That data and other information which is in the possession of, or is likely to come into the possession of the data controller and includes an expression of opinion about the individual and any indication of the intentions of the data controller, or any other person in respect of the individual.

Sensitive personal data is defined as personal data consisting of information as to:

- Racial or ethnic origin;
- Political opinion;
- Religious or other beliefs;
- Trade union membership;
- Physical or mental health or condition;
- Sexual life;
- Criminal proceedings or convictions.

### **Handling of personal/sensitive information**

The Parish Council will, through appropriate management and the use of strict criteria and controls:-

- Observe fully conditions regarding the fair collection and use of personal information;
- Meet its legal obligations to specify the purpose for which information is

used;

- Collect and process appropriate information and only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements;
- Ensure the quality of information used;
- Apply strict checks to determine the length of time information is held;
- Take appropriate technical and organisational security measures to safeguard personal information;
- Ensure that personal information is not transferred abroad without suitable safeguards;
- Ensure that the rights of people about whom the information is held can be fully exercised under the Act.

These include:

- The right to be informed that processing is being undertaken;
- The right of access to one's personal information within the statutory 40 days;
- The right to prevent processing in certain circumstances;
- The right to correct, rectify, block or erase information regarded as wrong information.

In addition, The Parish Council will ensure that:

- There is someone with specific responsibility for data protection in the organisation;
- Everyone managing and handling personal information understands that they are contractually responsible for following good data protection practice;
- Everyone managing and handling personal information is appropriately trained to do so;
- Everyone managing and handling personal information is appropriately supervised;
- Anyone wanting to make enquiries about handling personal information, whether a member of staff or a member of the public, knows what to do;



- Queries about handling personal information are promptly and courteously dealt with;
- Methods of handling personal information are regularly assessed and evaluated;
- Performance with handling personal information is regularly assessed and evaluated;
- Data sharing is carried out under a written agreement, setting out the scope and limits of the sharing. Any disclosure of personal data will be in compliance with approved procedures.

All elected members are to be made fully aware of this policy and of their duties and responsibilities under the Act.

All managers and staff within the council's directorates will take steps to ensure that personal data is kept secure at all times against unauthorised or unlawful loss or disclosure and in particular will ensure that:

- Paper files and other records or documents containing personal/sensitive data are kept in a secure environment;
- Personal data held on computers and computer systems is protected by the use of secure passwords, which where possible have forced changes periodically;
- Individual passwords should be such that they are not easily compromised.

All contractors, consultants, partners or other servants or agents of the Council must:

- Ensure that they and all of their staff who have access to personal data held or processed for or on behalf of the council, are aware of this policy and are fully trained in and are aware of their duties and responsibilities under the Act. Any breach of any provision of the Act will be deemed as being a breach of any contract between the council and that individual, company, partner or firm;
- Allow data protection audits by the council of data held on its behalf (if requested);
- Indemnify the council against any prosecutions, claims, proceedings, actions or payments of compensation or damages, without limitation.

All contractors who are users of personal information supplied by the council will be required to confirm that they will abide by the requirements of the Act with regard to information supplied by the council.

## **Implementation**

The council has appointed an Information Officer who will be responsible for ensuring that the Policy is implemented. Implementation will be led and monitored by the Information Officer. The Information Officer will also have overall responsibility for:

- The provision of cascade data protection training, for staff within the council.
- For the development of best practice guidelines.
- For carrying out compliance checks to ensure adherence, throughout the Council, with the Data Protection Act.

## **Notification to the Information Commissioner**

The Information Commissioner maintains a public register of data controllers. The Parish Council is registered as such.

The Data Protection Act 1998 requires every data controller who is processing personal data, to notify and renew their notification, on an annual basis. Failure to do so is a criminal offence.

The Information Officer will review the Data Protection Register annually, prior to notification to the Information Commissioner.

Any changes to the register must be notified to the Information Commissioner, within 28 days.

To this end, any changes made between reviews will be brought to the attention of the Information Officer immediately.

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NO CHANGES RECOMMENDED

## **LITTLE MARLOW PARISH COUNCIL**

### **GRIEVANCE POLICY AND PROCEDURE**

Adopted June 2012  
Reviewed February 2016

#### **PURPOSE AND SCOPE**

The purpose of this policy is to specify the formal procedure by which employees can raise a grievance, whilst encouraging employees to use informal discussions to resolve problems in the first instance.

This policy applies to all employees of Little Marlow Parish Council.

This policy does not apply to grievances raised on behalf of two or more employees by a representative of a recognised trade union or other appropriate workplace representative. Such grievances will be dealt with using the council's collective grievance process.

This policy does not apply where the council has no control over the matter, although the council will give information and advice where possible, to help an employee resolve the issue.

This policy does not apply where the procedure has been invoked within six months of the completion of any action under the grievance procedure of the same or similar issue, unless the original action agreed to redress the grievance has not been implemented.

#### **DEFINITION OF GRIEVANCE**

For the purpose of this policy, grievances are defined as concerns, problems or complaints over work-related matters that an employee raises with the council. Examples of grievances include concerns over employment terms and conditions, contractual or statutory rights, health and safety, work relations, the working environment, new working practices, bullying and harassment, organisational change and discrimination.

For instances of bullying and harassment, employees are also advised to refer to the council's Bullying and Harassment Policy.

#### **INFORMAL PROCEDURE**

Little Marlow Parish Council recommends that all employees talk to their manager informally to try to resolve a problem before raising a formal grievance. However, if the informal approach fails to resolve the matter, employees can use the procedure outlined in this document to raise a grievance formally. The grievance should be raised without unreasonable delay.

## **PRINCIPLES OF THE GRIEVANCE PROCEDURE**

- (i) All grievances will be treated fairly and objectively.
- (ii) Employees will not be dismissed or suffer disadvantage as a result of raising a genuine grievance.
- (iii) If the employee has difficulty reading and writing, or if English is not their first language, any written documentation, e.g. a letter explaining the outcome of a meeting, will also be explained to them orally. Additional support that may be required at meetings will also be taken into consideration and provided as appropriate.
- (iv) Any action taken as a result of a grievance will be monitored and reviewed, as appropriate, to ensure that issues are dealt with effectively.

## **FORMAL GRIEVANCE PROCEDURE**

### **1. Write a Letter**

The grievance should be raised with a manager/Member of the Parish Council HR Committee (as appropriate) who is not the subject of the grievance, by writing a letter detailing the nature of the grievance. In most circumstances, the employee should write the letter to their Line Manager. If this is not possible, the employee may write to the Parish Council Clerk or a Member of the HR Committee, as appropriate.

If the employee has difficulty writing the letter, e.g. if English is not their first language, they are advised to seek help from a trade union representative or colleagues.

The letter should be dated and the employee should keep a copy for themselves.

### **2. Investigation (Optional)**

Upon receipt of a grievance it may be necessary to conduct an investigation. If appropriate, an investigatory meeting will be held to gather all relevant facts and evidence.

The employee will be invited to this investigatory meeting as soon as possible, in writing. It will be made clear that the purpose of the meeting is to establish the facts and that the employee may be accompanied by one colleague or trade union representative.

The investigatory meeting will usually be conducted by the employee's Line Manager. However, if the Line Manager is the subject of the grievance, the meeting will be conducted by the Parish Council or a Member of the HR Committee.



The investigation will be conducted as soon as possible and will normally be completed within five working days of receiving the grievance. However, if the matter is particularly complex, this can be extended to 15 working days. If it is not possible to complete the investigation within this timeframe, the employee will receive a written explanation of the delay and when the investigation is expected to be completed.

As soon as reasonably practicable after the conclusion of the investigation (usually five working days), the employee will be notified in writing that the investigation has been completed.

### **3. Grievance Meeting**

A grievance meeting will be held to discuss the grievance with the employee. The meeting will be conducted by a Manager/HR Committee Member (henceforth referred to as the 'employer') who has not been involved in any investigation that may have been undertaken. Wherever possible, the meeting will be arranged within five working days after the grievance is received or within five working days of the conclusion of an investigatory meeting if one has been held. The employee will be notified in writing of the date, time and location of the meeting, who will conduct the Grievance Meeting and the statutory right of employees to be accompanied at Grievance Meetings.

The employee can take one colleague or trade union representative into the meeting. If the employee wishes to be accompanied in this way, they should notify the employer in advance. The employee has the right to call relevant witnesses to the meeting, but should notify the employer of their intention to do so in advance of the meeting.

The meeting will be held at a reasonable time and place. The employee, their companion and the employer should make every effort to attend the meeting. If the employee or their companion cannot attend the meeting, another meeting will be arranged to take place within five working days of the original date. This timescale may be extended by mutual agreement. The meeting will be held in private, where there will not be interruptions.

The purpose of the meeting is to establish the facts of the grievance and find a way to resolve the problem. The employee will be given the opportunity to explain their grievance and how they think it should be resolved.

Copies of meeting records will be given to the employee, including any formal minutes. However, Little Marlow Parish Council may withhold some information in certain circumstances, e.g. to protect a witness.

If deemed necessary, the employer may adjourn the meeting until after further investigation has been conducted. The meeting will be rescheduled as soon as is reasonably practical.

#### **4. Decision and Notification**

The employer will decide what action, if any, to take after the meeting. A letter will be sent to the employee, notifying them of the decision within five working days of the initial meeting. Where appropriate, the letter will set out what action the employer intends to take to resolve the grievance. Where an employee's grievance is not upheld, the reasons for this will be clearly explained. The letter will also specify that the employee can appeal if they are not content with the decision/action taken.

#### **APPEALS PROCEDURE**

If the employee feels that their grievance has not been satisfactorily resolved, they can appeal in writing to the employer, specifying the grounds for their appeal, within five working days of receiving notification of the decision.

An Appeal Hearing will be held, wherever possible, within five working days of receiving notification of the appeal from the employee. The employee will be notified in writing of the date and location of the hearing in advance. They will also be informed that they have the right to be accompanied at the hearing.

At the hearing, an Appeals Panel will consider any representations made by the employee and/or their companion, those of the investigating Manager/Member and the Manager/Member who conducted the grievance meeting and made the decision. Wherever possible the Appeals Panel will not include Members or officers who have previously been involved in the case.

The appeal will be dealt with impartially.

Copies of meeting records will be given to the employee, including any formal minutes. However, Little Marlow Parish Council may withhold some information in certain circumstances, e.g. to protect a witness.

The outcome of the appeal will be communicated to the employee in writing within five working days of the hearing. The letter will also specify that there will be no further right of appeal.

#### **POST-EMPLOYMENT GRIEVANCES**

Wherever possible a grievance should be dealt with before an employee leaves their employment with the council. However, where an employee had already left employment and the procedure has not been commenced or completed, the employee is encouraged to attend any meetings in accordance with this procedure so a final decision can be made. If an employee refuses to attend any meetings, the council will proceed with the meeting in their absence and make a decision based on all the information and evidence available.

## **DOCUMENTATION**

During the grievance process, written records will be kept. These will include: the nature of the grievance, what was decided and actions taken, the reasons for action taken, whether an appeal was lodged, the outcome of the appeal and any subsequent developments.

Records will be treated as confidential and kept no longer than necessary.

## **OVERLAPPING GRIEVANCE AND DISCIPLINARY CASES**

If an employee raises a grievance during a disciplinary process, the disciplinary process may be temporarily suspended in order to deal with the grievance. However, where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently.

## **POLICY MONITORING AND REVISION**

This policy will be reviewed every four years, and will also be revised in the light of changing needs, changes in legislation and guidance, or in the light of experience.

Adopted: 6 June 2012

# LITTLE MARLOW PARISH COUNCIL STANDING ORDERS

With effect from 23<sup>rd</sup> February 2016  
as RESOLVED at the Council Meeting at the above date.  
(Based on NALC Standing Orders – 2010) as amended following the Openness of Local  
Government Bodies Regulations 2014 coming into effect.

## PROCEEDINGS AND BUSINESS

For the purposes of this document, ‘Chairman’ means Chairman of the Council.

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## **LITTLE MARLOW PARISH COUNCIL**

### **1. Meetings**

Meetings of the Council shall be held on such dates and times and at such a place as the Council may direct.

- a) Smoking is not permitted at any meeting of the Council.

### **2. Annual General Meeting**

- a) In an election year, the Annual General Meeting (or First Meeting) shall be held on or within 14 days following the day on which the councillors elected take office.
- b) In a year which is not an election year, the Annual General Meeting (or First Meeting) shall take place on any day in May as determined by the Parish Council.

### **3. Frequency of meetings**

In addition to the Annual Parish Meeting, a minimum of four meetings shall be held in each year on such dates and times and at such a place as the Council may direct.

### **4. Election of Chairman**

The election of the Chairman shall be the first business transacted at the First or Annual General Meeting of the Council. The Chairman shall be elected annually by the Council from among the Councillors.

### **5. Duration of Office**

The Chairman shall, unless he/she resigns or ceases to be qualified or becomes disqualified, continue in office until his/her successor is elected.

### **6. Appointment of Vice-Chairman**

The Council shall at the First or Annual General Meeting appoint a Vice-Chairman.

### **7. Chairman to Preside**

At a meeting of the Parish Council the Chairman of the Council, if present, shall preside.

### **8. Absence of Chairman**

If the Chairman of the Council is absent from a meeting of the Council, the Vice-Chairman of the Council, if present, shall preside.

### **9. Absence of Chairman and Vice-Chairman**

If both the Chairman and Vice-Chairman of the Council are absent from a meeting of the Council, such Councillor as the members of the Council present shall choose, shall preside.

**10. Annual Parish Meeting**

The Annual Parish Meeting will be held usually in May or on such a date as determined by the Parish Council

**11. Chairman to Preside at Annual Parish Meeting**

If the Chairman of the Parish Council is present at the Annual Parish Meeting, he/she shall preside.

**12. Absence of Chairman from Annual Parish Meeting**

If the Chairman of the Parish Council is absent from the Annual Parish Meeting, the Parish Meeting may appoint a person to take the chair and that person shall have, for the purpose of the meeting, the powers and authority of the Chairman in relation to conduct of the meeting.

**13. Scheme of Delegation**

The Council may RESOLVED to delegate powers to The Clerk, Councillors or Committees regarding a decision. The Council has RESOLVED to delegate to the Clerk and Planning Chairman - LMPC's responses to Planning Applications as detailed in Section 36. The Council has RESOLVED that the Clerk may spend up to £200 without pre-approval as detailed within LMPC's Financial Regulations Item 3.2.

**14. Quorum of the Council**

Three members or one-third, whichever is the greater, shall constitute a quorum at meetings of the Council. No business shall be transacted if this number is not present, and the meeting shall be adjourned.

**15. Attendance at Meetings**

All councillors are required to attend all meetings of the Parish Council. Notice of Absence must be given to the Clerk in advance of the meeting. Reasons for absence may be requested. Notice of absence and acceptance shall be recorded at the meeting. Failure to attend any meetings of the Council for a period of six months commencing from the date of the last meeting attended will result in automatic disqualification of the councillor. Requests for prolonged absence, with reasons for the request may be made prior to the six month period expiring. Active service in the Armed Forces is a statutory reason for absence.

**16. Declarations of Interest – Personal and Prejudicial**

All councillors are required to register disclosable pecuniary interest, and to declare these at all meetings and may not vote or take part in any discussion on matters in which he/she has a personal or prejudicial interest.

**17. Business**

**a) Notice of Motion**

Notice of every motion other than a motion (as listed below that may be moved without notice) shall be given in writing, signed by the member of the Council giving the notice, and delivered to the Clerk at least 10 clear days before the next meeting of the Council.

**b) Motions not Requiring Notice**

- To appoint a Chairman of the Meeting
- To correct the Minutes
- To approve the Minutes
- To alter the order of business
- To close or adjourn the debate
- To refer a matter to a committee
- To appoint a committee or any member thereof
- To adopt a report
- To authorise the sealing of documents
- To amend a motion
- To give leave to withdraw a resolution or amendment
- To extend the time limit for speeches
- To exclude the Press or Public (see below)
- To silence or eject from the meeting a member named for misconduct (see below)
- To give consent of the Council where such consent is required by these Standing Orders
- To suspend any Standing Order (see below)
- To adjourn the meeting

**c) Business expressly required by Statute**

- a. To dispose of business, if any, remaining from the last meeting
- b. To receive such communications as the person presiding may wish to lay before the Council
- c. To answer questions from Councillors
- d. To receive and consider reports and minutes of committees and sub-committees
- e. To receive and consider resolutions and recommendations in the order in which they have been notified
- f. To authorise the sealing of documents
- g. If necessary, to authorise the signing of orders for payment

**18. Referring Motions to Sub-Committees**

If the subject matter of any motion of which notice has been given comes within the province of any committee or sub-committee, it shall upon being moved and seconded stand referred without discussion to such committee or sub-committee that the Council may determine, for consideration and report.

**19. Provision Against Referring Motions to Committees**

Provided that the Chairman may if he considers it convenient and conducive to the despatch of business, allow the motion to be dealt with at the meeting at which it is brought forward.

**20. Relevance of Motions**

Every motion shall be relevant to some matter in relation to which the Council has powers or duties, or which affects the Parish.



## **21. Questions**

A member may ask the Chairman of the Council or the Clerk any question concerning the business of the Council provided 7 clear days notice of the question has been given to the person to whom it is addressed.

No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.

## **22. Rules of Debate and Motion and Amendment**

- a) No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.
- b) All speech should be directed through the Chairman.
- c) A motion or amendment shall not be discussed unless it has been proposed and seconded.
- d) A member, when seconding a motion or amendment may, if he/she then declares his/her intention to do so, reserve his speech until a later period of debate.
- e) A member shall direct his speech to the question under discussion or to a personal explanation
- f) The Council may invite any member of the public who is considered to have a particular interest, knowledge or expertise relating to any matter under discussion to address the Council and to be questioned. Such member of the public shall not have the power to vote on the matter under discussion.
- g) A member may move without comment at the conclusion of a speech of another member 'that the Council proceed to the next business', 'that the question now be put', 'that the debate be now adjourned', or that 'the Council do now adjourn' on according to which, the Chairman shall proceed as follows:

On a motion to proceed to the next business; unless in his/her opinion the matter before the meeting has been sufficiently discussed, he shall first give the mover of the original motion a right to reply, and then put to the vote the motion to proceed to the next business:

or

On a motion that the question be now put; unless in his/her opinion the matter before the meeting has been sufficiently discussed, he shall first put to the vote the motion that the original motion his right of reply before putting his motion to the vote;

or

On a motion to adjourn the debate or the meeting, if in his/her opinion the matter before the meeting has not been sufficiently discussed and cannot be reasonably sufficiently discussed on that occasion, he/she shall put the adjournment motion to the vote without giving the mover of the original motion his/her right of reply on that occasion.

- h) A motion shall require to be proposed and seconded.
- i) A decision on a topic ends discussion upon it. A chairman must rule out of order any attempt to re-open the topic.



- j) Rescission of Previous Resolutions A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least 5 members of the Council, or by a motion moved in pursuance of the report or recommendation of a committee

### **23. Point of Order**

A member may rise on a point of order or in personal explanation and shall be entitled to be heard forthwith. A point of order shall relate only to an alleged breach of a standing order or statutory provision and the member shall specify the standing order or statutory provision and the way in which he/she considers it has been breached. A personal explanation shall be confined to some material part of a former speech by him/her which may appear to have been misunderstood in the debate.

### **24. Behaviour of Members**

All members must observe the Code of Conduct which was adopted by this Council on **23rd February 2016.**

If any member reasonably believes that another member is in breach of the Code of Conduct, that member is under duty to report the breach to the Standards Committee at Wycombe District Council.

- a) No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business or behave irregularly, improperly, or in such a way as to bring the Council into disrepute. If any member contravenes these rules, the Chairman or any other member may move that 'The member named be not further heard', and the motion, if seconded, shall be put and determined without discussion.
- b) If a member continues his/her misconduct after a motion under the foregoing paragraph has been carried, the Chairman shall:  
Either move that the member leaves the meeting (in which case the motion shall be put and determined without discussion)  
or  
adjourn the meeting of the Council for such a period as his/her discretion shall consider expedient.
- c) In the event of a general disturbance which in the opinion of the Chairman Renders the due and orderly dispatch of business impossible, the Chairman, in addition to any other power vested in him/her may, without question put, adjourn the meeting of the Council for whatever period he/she shall by his/her discretion consider expedient, and may take such further steps as may be reasonably considered.

### **25. Admission of Public and Press to Meetings**

The public and press shall be admitted to all meetings of the council and its committees. They may be temporarily excluded by the following resolution: 'That in view of the special/confidential nature of the business about to be transacted, the press and public will be temporarily excluded and they are now instructed to withdraw'. The special reason for the exclusion shall be given.

At a time during the meetings of the Council, a convenient time in the transaction of business, the Chairman may invite the public to address the meeting.

The Clerk shall afford the press reasonable facilities for the taking of any report of any proceedings at which they are entitled to be present.

## **26 Filming and recording of meetings**

If circumstances arise where the likelihood of filming or recording of the meeting by members of the public is considered possible, the Chairman will remind the public that data protection and if relevant, the protection of vulnerable adults or children is of paramount importance. On 6 August 2014, the Public Admissions to Meetings Act 1960 Act was amended by the Openness of Local Government Bodies Regulations 2014 ("the 2014 Regulations"). The amended 1960 Act provides that a person may not orally report or comment about a meeting as it takes place if he is present at the meeting of a parish council or its committees but otherwise may:

- a) film, photograph or make an audio recording of a meeting.
- b) use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later.
- c) report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting.

## **27 Extraordinary Meetings**

The Chairman of the Council may convene an extraordinary meeting of the Council at any time.

If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within 5 clear days of having been requested to do so by two Councillors, those two Councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two Councillors.

## **28. Confidentiality of Business**

a) No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or sub-committee.

b) Any member in breach of para 25a) shall be removed from any committee or sub-committee of the Council by the Council.

## **29. Committees and Sub-Committees**

The Council may at its Annual General Meeting appoint standing committees or sub-committees. It may appoint such committees and sub-committees at any other time during the council year as it may be deemed necessary. No member of any committee or sub-committee shall hold office beyond the end of the council year, and a committee or sub-committee may be dissolved at any time during the council year. A committee shall meet in public with due notice of its meeting advertised. A sub-committee must report to full council its findings and recommendations.



**30. Inclusion on Committees and Sub-Committees if Non-Members of the Council**

A committee appointed under this section (other than a committee or sub-committee for regulating and controlling finances of the Council) may include persons who are not members of the council up to a maximum one-third of the total number.

**31. Size, Term of Office and Area of Committee and Sub-Committee**

The number of members of a committee or sub-committee appointed under this section, their term of office (not exceeding beyond the council year) and the area, if any, within which the committee or sub-committee is to exercise its authority, shall be fixed by the Council.

**32. Register of Members Interests**

The Clerk will hold a Register of Members interests or a copy thereof, in accordance with the agreement reached with the Monitoring Officer of Wycombe District Council, and as required by statute. Members will be asked at the commencement of business at each meeting to declare personal or prejudicial interests.

**33. Relationship with the Council**

If a candidate for any appointment under the Council is to his or her knowledge related to any member of, or the holder of any office under the Council, he/she and the person to whom he/she is related, shall disclose the relationship in writing to the Clerk. A candidate who fails to do so shall be disqualified for such appointment, and if already appointed, shall be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosure. Where a relationship to a member is disclosed this Standing Order shall apply.

The Clerk shall make known the purpose of this Standing Order to every candidate.

**34. Canvassing of and Recommendation by Members.**

a) Canvassing of members of the Council or any committee or sub-committee, directly or indirectly for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purpose of this paragraph to all members of the Council.

b) A member of the Council or of any committee or sub-committee shall not solicit for any person any appointment under the Council, nor recommend any person for such appointment or promotion, but any such member may give a written testimonial of a candidate's ability, experience or character for admission to the Council with an application for an appointment.

Paragraph 31 a & b above shall apply to tenders as if the person making the tender were a candidate for an appointment.

### **35. Liaison with County and District Councillors**

A summons and Agenda for each meeting shall be sent to the County and District Councillors for the appropriate division/ward.

### **36. Planning Applications**

The Clerk shall, as soon as it is received, record the following particulars of every planning application received by the Council:

- The date on which it was received
- The name of the applicant
- The place to which it relates

The Clerk shall notify the receipt of every planning application to the Chair of the Planning Committee, or their deputy within 48 hours of receipt.

The Clerk will produce a Planning report for consideration at each Full Council meeting. The report will detail the applications received and any comments made, by the Council. It will also detail the decisions made by Wycombe District Council on planning applications.

Due to the meeting frequency of Full Council it is sometimes not possible for the Council to submit comments to Wycombe District Council within their consultation time period. In these instances the Council delegates its decision to the Planning Chairman to ensure that a timely response is given.

For planning applications which have the following reference /CTREE the Council delegates its response to the Clerk who will submit the following comments on behalf of the Council:

**The Parish Council has no objection provided the work proposed is carried out under the guidance of the Wycombe District Council Tree Officer.**

### **37. The General Power of Competence**

- a) The Council RESOLVED to adopt the General Power of Competence on **20<sup>th</sup> October 2015** as it satisfied the prescribed statutory criteria required to qualify as an eligible Parish Council.
- b) The Council's period of eligibility begins on the date that the resolution under standing order 36a) above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.
- c) After the expiry of its preceding period of eligibility, the Council continues to be an eligible Council solely for the purpose of completing any activity undertaken in the exercise of the General Power of Competence which was not completed before the expiry of the Council's preceding period of eligibility referred to in standing order 36b) above.

### **38. Freedom of Information Act 2000**

- a) All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.



**39. Accounts and Financial Statements**

- a) All payments by the Council shall be authorised, approved and paid in accordance with the Council's Financial Regulations.

## **High Wycombe Reserve Sites: Transport Framework: extracts**

### **5.3 Abbey Barn North**

Abbey Barn North is an 11.3 hectare plot of land covered with trees, shrubs and woodland. Over half of the site is designated as Local Wildlife Site (LWS) / Biological Notification Site (BNS). The topography of the site forms a north-facing natural bowl or amphitheatre with steeply rising land on three sides. Abbey Barn Lane is at the top of one of these steep slopes, the natural access point to the site is from the north east of the site via Kingsmead Road

Abbey Barn Lane is a narrow (approximately 5.5m width) carriageway, with a bending alignment and crests restricting visibility in places. According to Manual for Streets 34, a 5.5m straight carriageway is the minimum width possible for two large vehicles to pass.

On Abbey Barn Lane there is a one-way give-way controlled crossing of a weak bridge structure at the northern end of the link. The inter-visibility of the give-way control at this location is observed to be insufficient, with conflicting movements frequently meeting on the bridge. A high level of existing 'link friction' is observed on Abbey Barn Road, with a school, bus stops, HGV access and informal residential parking resulting in a constrained link capacity.

For the purposes of this report WDC initially estimate that 75 homes could be developed on the Abbey Barn North site. Abbey Barn North is located adjacent to two wards included in the 2011 Census, Ryemead ward and Abbey ward. The combined census main method of travel to work data for these two wards indicates that 42% of employed local residents drive a car or van to work, by comparison 4% are passengers in a car or van, 4% use rail services, 4% use bus services, 1% cycle and 10% travel to work on foot.

The quantum of vehicle trips is indicated by TRICS to be a total of 42 vehicle trips in the AM peak and 44 vehicle trips in the PM peak.

Key traffic routes will include Abbey Barn Lane, Daws Hill Lane, Abbey Barn Road, A40 London Road (towards the town centre), Heath End Road, Kingsmead Road and also Marlow Hill (particularly in the PM peak). It is thought that Kingsmead Road is shown as attracting new development trips due to capacity constraints and forecast congestion on the A40 corridor east of Abbey Barn Road.

### **5.4 Abbey Barn South**

Abbey Barn South is a 33 hectare plot of land located to the south-east of the town centre. A woodland ride through the site, forming almost half the site, has a 'Green Space' designation and TPO on the trees along the ride. There are public rights of way crossing the site. The topography of the site is relatively level, with the site located along a crest at the top of Daws Hill, a low point exists at the northern corner of the site. To the west of the site work has commenced on the new dwellings and other facilities on the RAF Daws Hill site.

The current alignment of Abbey Barn Lane provides a couple of opportunities to form an access junction onto the site. The Masterplan for the RAF Daws Hill site also includes provision for a connection via that site for all transport modes. The existing priority junction arrangement of Abbey Barn Lane / Heath End Road is constrained by a farm access slightly staggered from Abbey Barn Lane. The description of the local highway network for Abbey Barn North is pertinent also to Abbey Barn South.

For the purposes of this report it is estimated that 465 homes and 7,000 square metres of employment land could be developed on the Abbey Barn South site. Abbey Barn South is located adjacent to two wards included in the 2011 Census, Ryemead ward and Abbey ward. The data indicates that 42% drive a car or van to work, by comparison 4% are passengers in a car or van, 4% use rail services, 4% use bus services, 1% cycle and 10% travel to work on foot. The quantum of vehicle trips is indicated by TRICS to be a total of 376 vehicle trips in the AM peak and 369 vehicle trips in the PM peak.

Key traffic routes will include Abbey Barn Lane, Daws Hill Lane, Heath End Road, Desborough Avenue, A4010 John Hall Way, A404 Marlow Hill, Abbey Way, Abbey Barn Road, A40 London Road, and Kingsmead Road.

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## **7.7 Abbey Barn South Site Package**

Vehicle access to Abbey Barn South is to be provided via Abbey Barn Lane and through the RAF Daws Hill site. Although not part of the Abbey Barn South site, the adjacent ski slope site is also likely to be considered for development to be accessed directly via Abbey Barn Lane and so should be kept in mind as part of the developer's access strategy. Topographical challenges could result in a travel mode share for the development dominated by the private car unless significant local investment to achieve a sustainable travel mode shift is agreed.

The development traffic impact at the Abbey Barn Lane / Heath End Road junction is to be assessed and the junction designed to operate effectively with forecast future traffic demands. This junction design will be required to slow down vehicles entering Daws Hill Lane and to avoid encouraging traffic from using Winchbottom Lane. A four arm roundabout design has been considered previously; however, this design may encourage traffic to use Winchbottom Lane and would therefore not be entirely suitable. The preferred concept is a three arm roundabout, with Winchbottom Lane retained as a separate unsignalised T junction.

Further local transport schemes, considered necessary to connect Abbey Barn South to the surrounding transport network and local facilities include:

- A shared use pedestrian / cycle path from within Abbey Barn South, joining the path between RAF Daws Hill and Keep Hill Road. This scheme may require further upgrades to the path provided by the RAF Daws Hill development, including lighting or luminance. The purpose of this scheme is to provide an appropriate pedestrian / cyclist link to High Wycombe town centre and should therefore include appropriate signage at Keep Hill Road.

- A shared use pedestrian / cycle path linking with the path described above, including provision of a safe crossing of Abbey Barn Lane and connecting to Amersham & Wycombe College on the outskirts of Flackwell Heath. The purpose of this scheme is to provide an appropriate pedestrian / cyclist link to connect the site to facilities in the Flackwell Heath area and also provide wider strategic connections between Flackwell Heath and facilities at Handy Cross Hub.
- Connect the bridleways through Keephill Wood and the Abbey Barn Lane shared pedestrian path / cycle lane to Winchbottom Lane. This would complement access to the unclassified road running north-south, west of Winchbottom lane, which was cut off when the M40 was built. In addition, upgrade footpath LMA/22 to bridleway allowing cycling access to this lane.
- An off-road pedestrian and cycle route through Dean Garden Woods to link Abbey Barn South and North and then into the wider network • A 15-minute frequency bus service takes a route through Abbey Barn South. A bus service via Flackwell Heath could be diverted by the operator. Suitable bus priority is to be included within the site and at nearby junctions to minimise possible journey time delays. The bus service could provide onward travel to High Wycombe town centre via Handy Cross Hub.
- Reduced speed limits on Abbey Barn Lane and Heath End Road from national speed limit (60mph) to 30mph or 40mph, as agreed to be most appropriate. This scheme would ensure that an appropriate speed limit was in place reflecting the increasingly residential and urban nature of the area. This would also prevent any unnecessary restrictions to either providing vehicle access to Abbey Barn South or providing a redesign of the Abbey Barn Lane/ Heath End Road junction.
- A signalised or upgraded bridge on Abbey Barn Lane, depending upon progress and deliverability of more substantial improvements to the narrow bridge and nearby junctions. This scheme would seek to resolve issues related to the inter-visibility of the give-way control to ensure that a safe method of control was in place.
- Abbey Barn Lane is narrow in places, with a bending alignment and crests restricting visibility. There are no footway facilities on Abbey Barn Lane. Modest widening or realignment of 'pinch-points' would ensure that an appropriate carriageway width and standard of route was provided.
- Providing a vehicular connection through to RAF Daws Hill and access to Abbey Barn South via Daws Hill Lane. The local transport package for Abbey Barn South and Abbey Barn North is illustrated in Figure 7-B.

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See extracts from Appendix G and H below for comments on Winchbottom Lane.



## Appendix G. Scheme Prioritisation Table: extract on Winchbottom Lane

<u>Ref</u>	<u>Option</u>	<u>Description</u>	<u>Cost</u>	<u>Timeframe</u>
H-5	Upgrade Winchbottom Lane Southern Link Road between Heath End Road and Handy Cross	Implement a full upgrade to Winchbottom Lane to full two way operation.	£1-5m	2022-26
H-6	Upgrade Winchbottom Lane Southern Link Road between Heath End Road and A404(M).	Implement a full upgrade to Winchbottom Lane to full two way operation with the A4155 between Little Marlow and the Westhorpe roundabout.	£5m	2022-26
H-7	Additional passing places along Winchbottom Lane to improve the safety of the route.	Deliver a series of passing places to resolve potential safety issues along the route. The scheme has an adopted flood improvement line.	£1-5m	2019-22

## Appendix H. Discounted Schemes: extract on Winchbottom Lane

<u>Reasons for Discounting</u> <u>Moderate beneficial impact</u>				
<u>Ref</u>	<u>Option</u>	<u>Problems</u>	<u>Objectives</u>	<u>Notes</u>
H-5	Upgrade Winchbottom Lane Southern Link Road between Heath End Road and Handy Cross	X	X	Previous studies indicate little benefit of implementing this scheme which also introduces traffic issues. Also unlikely to be deliverable due to AONB
H-6	Upgrade Winchbottom Lane Southern Link Road between Heath End Road and A404(M).			There is no evidence of the current value for money of this approach. Also unlikely to be deliverable due to AONB.
H-7	Additional passing places along Winchbottom Lane to improve the safety of the route.			Potential minor road safety benefits are not sufficient to justify inclusion of this option within this transport package. Likely to offer poor value for money.

## **Wycombe Reserve sites Draft Infrastructure Delivery Plan: relevant extracts**

The Council are inviting views on the infrastructure assessments, proposed mitigation packages and delivery mechanisms set out in this report. The consultation is open from Monday 25 January 2016 to Monday 7 March 2016. You can send your comments by 5pm Monday 7 March 2016 to [planningpolicy@wycombe.gov.uk](mailto:planningpolicy@wycombe.gov.uk).

### **Section 1 – Introduction**

#### **Purpose and background of the report**

1.1 In November 2014 Wycombe District Council's Cabinet agreed to the release of the Wycombe reserve sites (Abbey Barn North, Abbey Barn South, Gomm Valley and Ashwells, Slate Meadow and Terriers Farm). These sites have been reserved for development for many years and are being released to assist to contribute towards the Council's rolling five year housing land supply.

1.2 The Council is taking a proactive approach to the release of these sites which includes working with prospective developers in the preparation of development briefs and community involvement to ensure that as far as possible the wishes of the community are reflected in the proposals that come forward for the development of the sites and to secure high quality developments and better infrastructure planning.

1.3 A roundtable group of interested parties has been established to consider the collective infrastructure impacts of the four reserve sites around High Wycombe and the strategic transport impacts of all five sites. In the case of Slate Meadow non-strategic transport infrastructure issues are considered by the site liaison group.

1.4 The purpose of this report is to set out: - The potential infrastructure requirements of each of the sites including the impacts cumulatively where appropriate. - A strategy for the delivery of the required infrastructure including costs and by what mechanisms the infrastructure will be delivered including if there are any interactions or synergies between the sites in providing the required strategic infrastructure

1.5 This report informs the development briefs for the sites which are the high level master-plan documents that are used to guide and inform the development of large strategic development sites. Development Briefs are not intended to be planning application documents; their purpose is to provide the vision, the development principles and a broad framework that will guide and inform the planning application stage that follows.

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1.8 Buckinghamshire County Council and Wycombe District Council have commissioned a separate transportation study to establish a package of potential proposals for the five reserve sites as well as some town wide measures based on up to date transport modelling, with suggested priorities reflecting effectiveness, feasibility and deliverability. This report contains a short summary of the proposed transport mitigation measures put forward in the Jacobs report.

## **The reserve sites**

1.9 Abbey Barn North is located to the south east of High Wycombe and is a natural bowl which is enclosed on three sides by steeply-sloping land. The site contains a large number of trees, shrubs and woodland and important chalk grassland, which represent constraints to the developable area of the site, as does the topography of the site. The January 2014 consultation on the new Wycombe Local Plan (WLP) set out that Abbey Barn North could provide for approximately 60 – 90 homes. It is also been suggested that the site could provide for “park homes” instead of traditional dwellings.

1.10 Abbey Barn South is located to the south east of High Wycombe on a flat site above the valley which contains arable fields and woodland. The WLP January 2014 consultation set out two housing capacity options for Abbey Barn South depending on the location of business development – option 1 of between 360 to 460 homes; option 2 of between 410 to 520 homes.

1.11 Terriers Farm is located on the northern side of High Wycombe close to Hazlemere. It contains pasture land and is located close to the A404 on the northern approach to High Wycombe. The WLP January 2014 consultation set out two housing capacity options for Terriers Farm depending on whether a park and ride facility is provided – option 1 of between 310 to 410 homes; option 2 of between 380 to 490 homes.

1.12 Gomm Valley & Ashwells is a Chalk Valley between the eastern edge of High Wycombe and the villages of Penn and Tylers Green. The WLP January 2014 consultation set out two options for the development capacity of Gomm Valley and Ashwells depending on potential impact on the landscape – option 1 of between 180 to 250 homes; option 2 of between 480 to 640 homes. Both options also allow for employment land.

1.13 Slate Meadow is located between the villages of Wooburn Green and Bourne End adjacent to the River Wye. Part of the site is a registered village green. The WLP January 2014 consultation set out that Slate Meadow could provide for approximately 150 to 190 homes.

1.14 For assessment purposes, the following housing numbers have been assumed for each of the sites, as being the midpoints in the potential capacities outlined above. Where there were two options the mid-point of the higher option has been used for modelling and assessment purposes. An average household size of 2.5 persons per dwelling is used to establish additional populations, based on data from the 2011 census. 1.15 The housing numbers are indicative and may be subject to change as the process moves forward, towards the completion of development briefs for each of the sites and the submission of planning applications. The estimated housing numbers set out in this report do not prejudice the outcome of any planning applications.

Table 1.1 – Reserve Sites housing numbers for assessment purposes

Site	Dwelling numbers	Indicative population
Abbey Barn North	75	187
Abbey Barn South	465	1162
Gomm Valley and Ashwells	560	1400
Terriers Farm	435	1087
Slate Meadow	170	425
Total	1705	4261

#### Abbey Barn South

4.13 Vehicle access to Abbey Barn South is to be provided via Abbey Barn Lane and through the RAF Daws Hill site. Although not part of the Abbey Barn South site, the adjacent ski slope site is also likely to be considered for development to be accessed directly via Abbey Barn Lane and so should be kept in mind as part of the developer's access strategy. Topographical challenges could result in a travel mode share for the development dominated by the private car unless significant local investment to achieve a sustainable travel mode shift is agreed.

4.14 The development traffic impact at the Abbey Barn Lane / Heath End Road junction is to be assessed and the junction designed to operate effectively – roundabout is likely the preferred approach.

4.15 Further local transport schemes, considered necessary to connect Abbey Barn South to the surrounding transport network and local facilities include:

- A 15-minute frequency bus service taking a route through Abbey Barn South. A bus service via Flackwell Heath could be diverted by the operator. Suitable bus priority is to be included within the site and at nearby junctions to minimise possible journey time delays.

- A shared use pedestrian / cycle path from within Abbey Barn South, joining the path between RAF Daws Hill and Keep Hill Road. This scheme may require further upgrades to the path provided by the RAF Daws Hill development, including lighting or luminance. The purpose of this scheme is to provide an appropriate pedestrian / cyclist link to High Wycombe town centre and should therefore include appropriate signage at Keep Hill Road.

- A shared use pedestrian / cycle path linking with the path described above, including provision of a safe crossing of Abbey Barn Lane and connecting to Amersham & Wycombe College on the outskirts of Flackwell Heath. The purpose of this scheme is to provide an appropriate pedestrian / cyclist link to connect the site to facilities in the Flackwell Heath area and also provide wider strategic connections between Flackwell Heath and facilities at Handy Cross Hub.

- Connect the bridleways through Keep Hill Wood and the Abbey Barn Lane shared pedestrian path / cycle lane to Winchbottom Lane. This would complement access to the unclassified road running north-south, west of Winchbottom lane, which was cut



off when the M40 was built. In addition, upgrade footpath LMA/22 to bridleway allowing cycling access to this lane.

- An off-road pedestrian and cycle route through Deangarden Woods to link Abbey barn South and North and then into the wider network.

- Reduced speed limits on Abbey Barn Lane and Heath End Road from national speed limit (60mph) to 30mph or 40mph, as agreed to be most appropriate. This scheme would ensure that an appropriate speed limit was in place reflecting the increasingly residential and urban nature of the area.

- A signalised or upgraded bridge on Abbey Barn Lane, depending upon progress and deliverability of more substantial improvements to the narrow bridge and nearby junctions. This scheme would seek to resolve issues related to the intervisibility of the give-way control to ensure that a safe method of control was in place.

- Abbey Barn Lane is narrow in places, with a bending alignment and crests restricting visibility. Modest widening or realignment of 'pinch-points' will ensure that an appropriate carriageway width and standard of route was provided.

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## **Section 9 – Utilities**

### **Water**

9.1 Thames Water has fully engaged in identifying the infrastructure implications of developing the reserve sites and other growth in Wycombe. They responded to the new Wycombe Local Plan options consultation in January 2014 and follow up response specifically in relation to the reserve sites. A Thames Water representative attended the Reserve Sites Infrastructure Roundtable on 21 May 2015 and the minutes of this meeting are on the Council website.

### **Water Supply and Network**

9.2 Thames Water supply area is divided into six Water Resource Zones (WRZ). Wycombe district is primarily within the Slough, Wycombe and Aylesbury WRZ. Their overall assessment shows a positive supply/demand balance up to 2040 for this WRZ but with an anticipated large deficit of supply in London.

9.3 Thames Water Final Water Resources Management Plan 2015 – 20407 sets out a raft of short, medium and longer term proposals to ensure sufficient water resources in the Thames Valley and London area. These include demand management and measures to address leakages as well new reservoirs and water transfer schemes from other parts of the country to London and the South East.

9.4 The water supply network at a more local level in relation to the reserve sites will require some local network reinforcements to accommodate the proposed new housing. Developers will be required to fund studies (e.g. to test flow and pressure) in order to demonstrate that there is adequate capacity both on and off site to serve the development and that their development would not lead to problems for existing users.

#### Delivery of water network upgrades to serve the reserve sites

9.5 Process – Developers will be required to fund and commission Thames Water to carry out flow and pressure investigations and hydraulic model analysis. These studies will assess the strategic and local network impact of the new developments and what measures and upgrades may be required and the costs involved.

9.6 Possible requirements – Measures that may be required include new mains connections and water booster stations to maintain water pressure.

9.7 Delivery – The infrastructure will be delivered both on and off site through new mains supply and connections to existing mains. Agreements for delivery are made directly between the developer and Thames Water. Conditions may be applied to any planning permissions that will require any necessary measures to be in place before any occupation of developments.

### **Sewage Network**

9.8 Thames Water has stated that there are wastewater network constraints in Wycombe district. Sewer flooding is a particular issue of concern to residents and the potential of raw sewage seeping into watercourses is also a major concern for the Environment Agency.

#### Delivery of sewage network upgrades to serve the reserve sites

9.9 Process – Thames Water state that where drainage impacts are identified (for example in the form of increased demonstrable risk of sewer flooding as a result of the proposed development), developers will be required to produce detailed drainage strategies early on in the development planning process to identify any on and or off site drainage infrastructure impacts, how these will be resolved, at what phases of the development they will be constructed, by what means and establishing the level of funding contribution by the developer and Thames Water.

9.10 Possible requirements – Measures that may be required include new sewers and connections to existing sewers. Sustainable drainage (SuDs) solutions will also be required on site by developments to minimise discharges to combined sewer networks. SuDs features can be incorporated within open spaces and new streets and can include swales, wet and dry attenuation ponds or features, porous paving and filter drains

9.11 Delivery – The design of the sites should identify and plan for separate surface water and foul drainage requirements including the provision of SuDs and rainwater harvesting. New sewers and connections to existing sewers will be delivered on and off-site with delivery agreements made directly between developers and Thames Water. Conditions may be applied to any planning permissions that will require the necessary improvements to be in place before any occupation of developments.

### **Sewage Treatment**

9.12 The Little Marlow Sewage Treatment Works serves High Wycombe, Marlow, Bourne End and surrounding areas. The Council works closely with Thames Water to ensure they are aware of levels and timing of housing and employment growth so that

Thames Water ensures that sufficient headroom at the works is maintained to maintain the performance of the treatment works and to meet their water quality consents.

9.13 In early 2013 there were a number of problems at the Little Marlow Sewage Treatment Works which led to a number of pollution incidents, caused by high flows entering the works, equipment failure and power outages. These issues are separate from the overall capacity of the works. In 2014 Thames Water 61 Draft Reserve Sites Infrastructure Delivery Plan – January 2016 undertook an extensive refurbishment programme to overcome these performance issues. This included: - Cleaning and refurbishing the treatment tanks and equipment which increases capacity to treat sewage after heavy rainfall and improves quality of water returned to the River Thames - Strengthening of the screens at the treatment works which stops debris entering the works and blocking pipes and pumps - Refurbishment of pumps and installation of back-up pumps to ensure disruption to works is kept to a minimum during power outages

9.14 Thames Water are working with the Environment Agency to establish the cause and effects of the 2013 pollution incidents and specialists have been instructed to carry out surveys of both the River Thames and the stream to the north of the works , to understand the general health of the river. In November 2013 the Environment Agency reported that ‘Thames Water continues to improve their management of the site and operations at Little Marlow Sewage Treatment Works are under better control’.

9.15 In terms of the capacity of Little Marlow Sewage Treatment Works Thames Water state that likely increased housing targets in Wycombe, including the development of the reserve sites, means that the sewage works will need to be upgraded in the coming years, and sooner than previously anticipated. The timing of any upgrade is not certain and is dependent on the timing and occupation of major development sites. Thames Water will be continuing to monitor the performance of the sewage works and growth in the catchment, and ensuring that they continue to meet their water quality consent requirements set by the Environment Agency, ensuring there is sufficient headroom to treat the load and flow at the works within the current consent parameters set by the Environment Agency.

#### Delivery of upgrades at Little Marlow Sewage Treatment Works

9.16 Process – Thames Water currently predict that an upgrade will be required in Thames Water’s next Business Plan period (2020 to 2025). The exact timing of the upgrades will depend on build out and occupancy of major development sites. Thames Water will continue to monitor the performance of the sewage works and levels of growth to ensure the sewage works continue to meet the water quality consent requirements set by the Environment Agency.

9.17 There are minor upgrades underway including aeration diffuser replacement and inlet screen replacement that will be completed in late 2015/early 2016 that will maintain the capacity of the works.

9.18 Possible requirements – Possible Upgrades to the STW will include additional treatment processes to improve the quality of treated effluent to the river and to meet

Environment Agency standards, further improvements to the inlet works pumping systems and new sedimentation and aeration tanks. Thames Water have confirmed that there is sufficient room at the site to accommodate additional tanks when required.

9.19 Delivery – The capacity upgrades will be included in the Thames Water Asset Management Plan. Public consultation on the next draft business plan is scheduled for 2018. Funding of upgrades will be through Thames Water.

### **Electricity and Gas networks**

9.20 National Grid have confirmed that the planned distribution of housing growth in Wycombe district will not have a significant effect upon National Grid's strategic infrastructure, in relation to both gas and electricity transmission, and that the existing network will cope with additional demands. It is likely that some off-site infrastructure reinforcements will be required on the local gas networks for individual sites.

9.21 Scottish and Southern Energy have confirmed that at the present time the primary electricity infrastructure can support the additional housing growth planned in Wycombe to 2026. However it may be necessary to install additional volt cable circuits from existing primary substations to serve new development areas. If additional loads materialise then some local reinforcements may be required. Delivery

9.22 It is the responsibility of the developers of each site to liaise directly with the relevant utility providers to ascertain exactly the level of upgrades that may be required to serve the sites and to deliver these in association with the companies in order to avoid any objections to planning applications that could otherwise result in a refusal of planning permission. Upgrades that may be required will be new substations and new gas mains.

### **Broadband**

9.23 Internet infrastructure providers have been working on an on-going basis to upgrade the national broadband network. For example, BT Openreach met their target that by 2014 two-thirds of UK premises would have super-fast broadband, through the process of laying fibre optic cables over the current copper lines.

9.24 Developers of the reserve sites should ensure that there is sufficient broadband capacity to accommodate the new development and should upgrade to fibre optic broadband if not already existing.