

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 – 20th October 2015 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 13th October 2015

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
 - a) Dispensation granted for Planning Application
3. To approve the Minutes of Meeting on the 8th September 2015
4. To take Reports from those Minutes for NOTE.
5. Finance
 - a) To approve Income and Expenditure report for September 2015
 - b) Review of budget 2015/16
 - c) Consideration of additional Window quotation
 - d) First consideration of Budget 2016/17
6. Planning Report
 - a) Consideration of planning applications and decisions (including Solar Farm)
 - b) Confirmation of LMPC planning procedure for NOTE
 - c) Local Plan Stakeholders Briefing – 20th October at WDC
7. Consideration of purchasing Speed Reduction stickers for Wheelie Bins
8. Burial Ground
 - a) Bell Mouth project – update
 - b) Dealing with Cemetery waste - consideration of quotes
 - c) Agreement on working party date
9. The Pavilion and Recreation Ground
 - a) Defibrillator cabinet position
10. Abbotsbrook Hall
 - a) Update on Lighting
 - b) Update on kitchen improvements
 - c) Update on Audio Visual installation.
11. Quality Status for LMPC – Update on application process.
12. LMPC Action Plan 2015/16 for NOTE
13. Consideration of new policies for LMPC
 - a) Training Policy & training record
 - b) Health & Safety Policy
 - c) Community Engagement Policy
 - d) Anonymous Letter Policy
 - e) Equal Opportunities Policy
14. Devolved Services - a) Expenditure against budget – for NOTE
15. Reports from Meetings at Outside bodies
 - a) LM School Working Party
 - b) Abbey Barn Liaison Group
 - c) Chepping Wycombe LAF
 - d) WDALC
 - e) WDC Civic Service
16. Consideration of adopting the General Power of Competence
17. Correspondence to the Council. – Letter from Marlow Museum
18. Public Participation – maximum 15 minutes

19. Website – Consideration of refresh of current LMPC Website

20. Remembrance Sunday Service - 8 November

21. Clerk Appraisal and review of Salary.

22. Confidential Items

In certain circumstances, it may be necessary for the public to be excluded from this meeting. This is in accordance with the Public Bodies (Admission to Meetings) Act 1960 and is in view of the confidential nature of the business to be transacted. Discussions may only be held in Confidential Items after a majority agreement by Councillors present

23. Dates of Future Meetings:- 1st December 2015, 22nd January 2016

		Actual Current Mth	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% of Budget
Full Council								
101	Administration							
1101	Staff Salaries/NIC/Pension	1,148	6,889	17,000	10,111		10,111	40.5 %
1108	Training	25	128	500	372		372	25.6 %
1109	Travel	15	39	300	261		261	12.9 %
1110	Allowances	0	0	100	100		100	0.0 %
1121	Telephone /Fax & Internet	16	272	550	278		278	49.4 %
1122	Postage	31	149	150	1		1	99.4 %
1123	Stationery	122	385	520	135		135	74.1 %
1124	Subscriptions/Membership Fees	27	462	600	138		138	77.1 %
1125	Insurance	0	1,491	3,000	1,509		1,509	49.7 %
1131	Advertising	0	0	100	100		100	0.0 %
1132	Newsletter/Website	0	771	2,000	1,229		1,229	38.5 %
1133	Planning	0	0	1,000	1,000		1,000	0.0 %
1140	Town Bus	0	0	2,300	2,300		2,300	0.0 %
1156	Bank Charges	0	0	300	300		300	0.0 %
1157	Audit Internal/External	0	849	450	-399		-399	188.7 %
1170	Miscellaneous Admin Costs	50	440	2,000	1,560		1,560	22.0 %
1200	Peppercorn Rent	0	0	1	1		1	0.0 %
1202	Spade Oak Car park	0	0	250	250		250	0.0 %
1581	Road Safety	0	0	10,000	10,000		10,000	0.0 %
	Administration :- Expenditure	1,434	11,875	41,121	29,246	0	29,246	28.9 %
1177	CTS Grant	499	499	499	0			100.0 %
1180	Wayleave	0	4	0	4			0.0 %
1182	Miscellaneous Income	0	183	50	133			366.5 %
1190	Interest Received	3	18	20	-2			89.6 %
	Administration :- Income	502	704	569	135			123.7 %
	Net Expenditure over Income	932	11,171	40,552	29,381			
102	Precept							
1176	Precept	20,533	42,065	42,065	0			100.0 %
	Precept :- Income	20,533	42,065	42,065	0			100.0 %
	Net Expenditure over Income	-20,533	-42,065	-42,065	0			
105	Grants							
1560	Grants Empowered	0	0	100	100		100	0.0 %
1562	Donations	50	50	500	450		450	10.0 %
	Grants :- Expenditure	50	50	600	550	0	550	8.3 %

Month No : 6

Committee Report

		Actual Current Mth	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% of Budget
1580	Grants/Donations Received	0	33,458	0	33,458			0.0 %
	Grants :- Income	0	33,458	0	33,458			
	Net Expenditure over Income	50	-33,408	600	34,008			
201	Abbotsbrook Hall							
2101	Wages	297	927	1,900	973		973	48.8 %
2105	Sub-contractors	166	574	1,700	1,126		1,126	33.8 %
2111	Rates	0	0	75	75		75	0.0 %
2113	Estate Licence Fee	0	0	400	400		400	0.0 %
2115	Utilities	179	861	3,000	2,139		2,139	28.7 %
2116	Cleaning Materials	0	176	400	224		224	43.9 %
2117	Refuse Removal	101	645	1,300	655		655	49.6 %
2136	General Maintenance	0	582	2,000	1,418		1,418	29.1 %
2137	Maintenance Contracts	0	0	500	500		500	0.0 %
2139	Tree Works	0	0	500	500		500	0.0 %
2141	Building Refurbs	0	0	800	800		800	0.0 %
2170	Miscellaneous	0	28	0	-28		-28	0.0 %
	Abbotsbrook Hall :- Expenditure	743	3,793	12,575	8,782	0	8,782	30.2 %
2180	Income-Hall Hire	1,001	5,192	10,000	-4,808			51.9 %
2181	Income-Car Park	0	0	500	-500			0.0 %
	Abbotsbrook Hall :- Income	1,001	5,192	10,500	-5,308			49.4 %
	Net Expenditure over Income	-258	-1,399	2,075	3,474			
301	Allotments							
3105	Sub-contractors	0	0	375	375		375	0.0 %
3112	Water Charges	0	0	458	458		458	0.0 %
3136	Allotment Maintenance	50	50	0	-50		-50	0.0 %
	Allotments :- Expenditure	50	50	833	783	0	783	6.0 %
3113	Allotment Rents	0	5	50	-46			9.0 %
3180	Income-Allotments use 3113	250	250	350	-101			71.3 %
	Allotments :- Income	250	254	400	-146			63.5 %
	Net Expenditure over Income	-200	-204	433	637			
305	Burial Ground							
3114	Electricity	0	0	100	100		100	0.0 %
3505	Sub-contractor	1,054	3,283	7,000	3,717		3,717	46.9 %
3506	Sexton Fees	0	90	350	260		260	25.7 %

Month No : 6

Committee Report

		Actual Current Mth	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% of Budget
3511	Rates Burial Ground	0	259	300	41		41	86.4 %
3512	Water Charge	15	24	90	66		66	26.5 %
3536	Cemetery Maintenance	24	279	750	471		471	37.2 %
3570	Miscellaneous	0	0	100	100		100	0.0 %
3571	Burial Ground Works	0	0	4,000	4,000		4,000	0.0 %
3572	Grave Digger	0	0	200	200		200	0.0 %
3573	Burial Ground Trees	0	4,250	1,000	-3,250		-3,250	425.0 %
	Burial Ground :- Expenditure	1,094	8,186	13,890	5,704	0	5,704	58.9 %
3580	Income-Burial Fees	1,845	8,395	15,000	-6,605			56.0 %
3581	Income Memorial Fees	365	2,960	5,000	-2,040			59.2 %
3582	Income-Sexton's Fees	30	60	350	-290			17.1 %
	Burial Ground :- Income	2,240	11,415	20,350	-8,935			56.1 %
	Net Expenditure over Income	-1,146	-3,229	-6,460	-3,231			
309	Pavilion/Recreation Ground							
3901	Wages	0	156	780	624		624	20.0 %
3905	Sub-Contractor	80	345	1,200	855		855	28.8 %
3915	Utilities	119	1,118	2,000	882		882	55.9 %
3916	Cleaning Materials	0	66	200	134		134	33.2 %
3917	Refuse Removal	101	645	1,200	555		555	53.8 %
3936	General Maintenance	0	670	5,500	4,830		4,830	12.2 %
3937	Maintenance Contracts	0	0	300	300		300	0.0 %
3959	Grounds Maintenance	250	1,302	2,000	698		698	65.1 %
3971	Pavilion Trees	0	0	5,500	5,500		5,500	0.0 %
3972	Playground Maintenance	0	2,149	2,000	-149		-149	107.4 %
	Pavilion/Recreation Ground :- Expenditure	549	6,452	20,680	14,228	0	14,228	31.2 %
3980	Income-Recreation Ground	0	1,326	1,500	-174			88.4 %
3981	Income-Pavilion	288	1,390	3,200	-1,810			43.4 %
3982	Donations/Grants	2,975	2,975	0	2,975			0.0 %
	Pavilion/Recreation Ground :- Income	3,263	5,692	4,700	992			121.1 %
	Net Expenditure over Income	-2,714	760	15,980	15,220			
501	Street Lighting							
5114	Street Lights Energy	0	971	2,000	1,029		1,029	48.6 %
5136	Street Light Maintenance	0	362	1,700	1,338		1,338	21.3 %
5150	Street Light Replacement	0	0	1,000	1,000		1,000	0.0 %
	Street Lighting :- Expenditure	0	1,333	4,700	3,367	0	3,367	28.4 %
	Net Expenditure over Income	0	1,333	4,700	3,367			

Month No : 6

Committee Report

		Actual Current Mth	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% of Budget
505	Agency Works							
5553	Grass	300	760	0	-760		-760	0.0 %
	Street Lighting :- Expenditure	300	760	0	-760	0	-760	
5550	Sign Cleaning	0	-204	4,800	5,004		5,004	-4.3 %
5552	Bus Shelter	0	66	0	-66		-66	0.0 %
5554	Footpaths	0	786	0	-786		-786	0.0 %
	Agency Works :- Expenditure	0	648	4,800	4,152	0	4,152	13.5 %
5580	Agency Income	0	3,712	6,000	-2,288			61.9 %
	Agency Works :- Income	0	3,712	6,000	-2,288			61.9 %
	Net Expenditure over Income	300	-2,305	-1,200	1,105			
	Full Council :- Expenditure	4,221	33,145	99,199	66,054	0	66,054	33.4 %
	Income	27,790	102,492	84,584	17,908			121.2 %
	Net Expenditure over Income	-23,568	-69,347	14,615	83,962			

Budget Detail - By Centre

Note: (-) Net Expenditure means Income is greater than Expenditure

Note :

		<u>Last Year</u>		<u>Agreed Budget</u>	<u>Current Year</u>		<u>Next Year</u>	
		<u>Budget</u>	<u>Actual</u>		<u>Actual YTD</u>		<u>Next Year Budget</u>	
101	<u>Administration</u>							
1101	Staff Salaries/NIC/Pension	14,600	15,384	17,000	6,889		17,000	
1108	Training	500	223	500	128		800	
1109	Travel	300	194	300	39		300	
1110	Allowances	100	100	100	0		100	
1121	Telephone /Fax & Internet	550	514	550	272		650	
1122	Postage	150	140	150	149		300	
1123	Stationery	520	716	520	385		550	
1124	Subscriptions/Membership Fees	600	781	600	462		600	
1125	Insurance	3,050	2,790	3,000	1,491		2,000	
1131	Advertising	100	312	100	0		100	
1132	Newsletter/Website	2,000	1,612	2,000	771		2,000	
1133	Planning	1,000	0	1,000	0		1,000	
1140	Town Bus	2,300	2,318	2,300	0		2,450	
1156	Bank Charges	400	253	300	0		0	
1157	Audit Internal/External	358	350	450	849		1,000	
1170	Miscellaneous Admin Costs	3,850	1,309	2,000	440		200	
1171	Printer costs	0	0	0	0		200	
1172	New office equipment	0	0	0	0		1,600	
1173	Tree Survey	0	0	0	0		1,000	

Continued on Page 2

Budget Detail - By Centre

Note: (-) Net Expenditure means Income is greater than Expenditure

Note :

		<u>Last Year</u>		Agreed Budget	<u>Current Year</u>		<u>Next Year</u>	
		Budget	Actual		Actual YTD		Next Year Budget	
1200	Peppercorn Rent	1	0	1	0		1	
1201	Defibrillator	3,000	3,042	0	0		0	
1202	Spade Oak Car park	0	0	250	0		250	
1581	Road Safety	0	310	10,000	0		5,000	
	OverHead Expenditure	33,379	30,348	41,121	11,875		37,101	
1177	CTS Grant	0	590	499	499		425	
1180	Wayleave	0	4	0	4		4	
1182	Miscellaneous Income	0	57	50	183		50	
1190	Interest Received	20	25	20	18		20	
	Total Income	20	676	569	704		499	
101	Net Expenditure	33,359	29,672	40,552	11,171		36,602	
102	Precept							
1176	Precept	40,615	40,650	42,065	42,065		50,500	
	Total Income	40,615	40,650	42,065	42,065		50,500	
102	Net Expenditure	-40,615	-40,650	-42,065	-42,065		-50,500	
105	Grants							
1560	Grants Empowered	0	100	100	0		100	

Continued on Page 3

Budget Detail - By Centre

Note: (-) Net Expenditure means Income is greater than Expenditure

Note :

		<u>Last Year</u>		<u>Agreed Budget</u>	<u>Current Year</u>	<u>Next Year</u>
		<u>Budget</u>	<u>Actual</u>		<u>Actual YTD</u>	<u>Next Year Budget</u>
1562	Donations	500	0	500	50	500
	OverHead Expenditure	500	100	600	50	600
1580	Grants/Donations Received	0	0	0	33,458	100
	Total Income	0	0	0	33,458	100
105	Net Expenditure	500	100	600	-33,408	500
<u>201</u>	<u>Abbotsbrook Hall</u>					
2101	Wages	1,800	2,176	1,900	927	2,500
2105	Sub-contractors - Grounds	1,700	1,029	1,700	574	1,700
2111	Rates	75	0	75	0	0
2113	Estate Licence Fee	400	416	400	0	430
2115	Utilities	3,000	2,493	3,000	861	2,700
2116	Cleaning Materials	300	319	400	176	400
2117	Refuse Removal	1,300	1,248	1,300	645	1,300
2136	General Maint -elect/plumber	1,053	2,660	2,000	582	2,000
2137	Maintenance Contracts	500	0	500	0	0
2139	Tree Works	500	2,120	500	0	1,000
2141	Building Refurbs	1,560	0	800	0	1,000
2170	Miscellaneous	0	126	0	28	30
	OverHead Expenditure	12,188	12,588	12,575	3,793	13,060

Continued on Page 4

Budget Detail - By Centre

Note: (-) Net Expenditure means Income is greater than Expenditure

Note :

		<u>Last Year</u>		Agreed Budget	<u>Current Year</u>		<u>Next Year</u>	
		Budget	Actual		Actual YTD		Next Year Budget	
2180	Income-Hall Hire	7,716	9,722	10,000	5,192		9,700	
2181	Income-Car Park	500	0	500	0		300	
Total Income		8,216	9,722	10,500	5,192		10,000	
201	Net Expenditure	3,972	2,866	2,075	-1,399		3,060	
301	Allotments							
3105	Sub-contractors	350	700	375	0		400	
3106	Carrington Rental charge	0	0	0	0		50	
3112	Water Charges	458	255	458	0		458	
3136	Allotment Maintenance	0	24	0	50		100	
OverHead Expenditure		808	979	833	50		1,008	
3113	Allotment Rents	500	-550	50	5		0	
3180	Income-Allotments use 3113	0	0	350	250		400	
Total Income		500	-550	400	254		400	
301	Net Expenditure	308	1,529	433	-204		608	
305	Burial Ground							
3114	Electricity	100	60	100	0		100	
3505	Sub-contractor - Grounds	7,000	5,942	7,000	3,283		6,800	

Budget Detail - By Centre

Note: (-) Net Expenditure means Income is greater than Expenditure

Note :

		<u>Last Year</u>		<u>Agreed Budget</u>	<u>Current Year</u>		<u>Next Year</u>	
		<u>Budget</u>	<u>Actual</u>		<u>Actual YTD</u>		<u>Next Year Budget</u>	
3506	Sexton Fees	350	250	350	90		200	
3511	Rates Burial Ground	250	254	300	259		300	
3512	Water Charge	50	107	90	24		90	
3536	Cemetery Maint & electric	2,000	4,510	750	279		1,000	
3570	Miscellaneous	0	29	100	0		100	
3571	Burial Ground Bell Mouth	3,783	98	4,000	0		6,000	
3572	Grave Digger	0	0	200	0		200	
3573	Burial Ground Trees	0	0	1,000	4,250		2,000	
3574	Memorial stones repairs	0	0	0	0		2,000	
3575	Burial Ground Survey	0	0	0	0		400	
OverHead Expenditure		13,533	11,249	13,890	8,186		19,190	
3580	Income-Burial Fees	6,947	14,764	15,000	8,395		11,000	
3581	Income Memorial Fees	4,000	7,459	5,000	2,960		4,000	
3582	Income-Sexton's Fees	350	175	350	60		200	
Total Income		11,297	22,398	20,350	11,415		15,200	
305	Net Expenditure	2,236	-11,149	-6,460	-3,229		3,990	
309	<u>Pavilion/Recreation Ground</u>							
3901	Wages	600	1,376	780	156		0	
3905	Sub-Contractor - cleaner	1,200	747	1,200	345		2,000	

Continued on Page 6

Budget Detail - By Centre

Note: (-) Net Expenditure means Income is greater than Expenditure

Note :

		<u>Last Year</u>		Agreed Budget	<u>Current Year</u>	<u>Next Year</u>
		Budget	Actual		Actual YTD	Next Year Budget
3915	Utilities	2,000	1,700	2,000	1,118	2,000
3916	Cleaning Materials	200	185	200	66	200
3917	Refuse Removal	1,200	1,278	1,200	645	1,300
3936	General Maint elec/plumber etc	9,656	6,348	5,500	670	200
3937	Maintenance Contracts	300	190	300	0	0
3959	Grounds Maint - grass/hedges	2,050	131	2,000	1,302	2,000
3970	Miscellaneous	0	3	0	0	0
3971	Pavilion Trees	0	5,400	5,500	0	5,000
3972	Playground Maintenance	0	0	2,000	2,149	3,000
3973	Playground equip - new	0	0	0	0	10,000
OverHead Expenditure		17,206	17,359	20,680	6,452	25,700
3980	Income-Recreation Ground	1,500	2,378	1,500	1,326	1,500
3981	Income-Pavilion	3,121	4,127	3,200	1,390	3,200
3982	Donations/Grants	0	0	0	2,975	0
Total Income		4,621	6,504	4,700	5,692	4,700
309	Net Expenditure	12,585	10,855	15,980	760	21,000
501	Street Lighting					
5114	Street Lights Energy	2,000	2,009	2,000	971	2,100
5136	Street Light Maintenance	1,380	2,750	1,700	362	1,700

Continued on Page 7

Budget Detail - By Centre

Note: (-) Net Expenditure means Income is greater than Expenditure

Note :

		<u>Last Year</u>		Agreed Budget	<u>Current Year</u>	<u>Next Year</u>
		Budget	Actual		Actual YTD	Next Year Budget
5150	Street Light Replacement	1,000	0	1,000	0	1,000
	OverHead Expenditure	4,380	4,759	4,700	1,333	4,800
	501 Net Expenditure	4,380	4,759	4,700	1,333	4,800
505	Devolved Services					
5550	Sign Cleaning & removal	0	5,004	4,800	-204	1,000
5551	Slip Cutting	0	264	0	0	174
5552	Bus Shelter	0	50	0	66	100
5553	Grass	0	0	0	760	1,000
5554	Footpaths / ROW	0	0	0	786	600
5555	Hedges/Weed control	0	0	0	0	653
	OverHead Expenditure	0	5,318	4,800	1,408	3,527
5580	Devolved Svs income	0	1,750	6,000	3,712	1,700
	Total Income	0	1,750	6,000	3,712	1,700
	505 Net Expenditure	0	3,568	-1,200	-2,305	1,827
	Total Budget Expenditure	81,994	82,700	99,199	33,145	104,986
	Income	65,269	81,150	84,584	102,492	83,099
	Net Expenditure	16,725	1,550	14,615	-69,347	21,887

Little Marlow Parish Council

Planning Report – 20th October 2015 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

App. No.	Location	Description
<u>15/07746/FUL</u>	Old Dairy Barn Monkton Lane Little Marlow	Householder application for construction of single storey glassroom extension
<u>15/07646/CLP</u>	The Bramleys Church Road Little Marlow	Certificate of Lawfulness proposed for the erection of a single storey outbuilding to rear for ancillary use as gym/study/storage/wc
<u>15/07544/FUL</u>	3 Coldmoorholme Lane Bourne End	Householder application for construction of rear/side dormer window in connection with part loft conversion, alterations to rear lean-to, internal alterations, insertion of additional roof lights to front roof slope and associated alterations
<u>15/07540/CTREE</u>	Quay House Sailing Club Road Bourne End	Reduce crown of Horse Chestnut tree located in front of property by 25%, as per previous application ref. 1006750CTREE
<u>15/07511/FUL</u>	The Blacksmiths Arms Wycombe Road Marlow	Application for erection of a Garden Pergol & erection of replacement mesh fencing, housing of new outdoor freezer & erection of new surrounding 1.80m close boarded fencing
<u>15/07001/FULEA</u>	Land North Of Marlow Landfill Site Marlow Road Little Marlow	Construction of a solar energy park to include the installation of solar panels, security fencing, transformer housing, access and other associated works

Case **15/05562/FUL** **Decision:** **Application Refused** **Date** **01/09/2015**
Address: Wilton Farm House Marlow Road Little Marlow Buckinghamshire SL7 3RR
Proposal: Householder application for retention of 2.1m high front boundary fence
Applicant Mr Mandeep Takhar **Agent:** Landmark Group
Ward: Flackwell Heath And Little **Parish:** Little Marlow Parish Council

Case **15/06944/CTR** **Decision:** **Not to make a Tree Preservation Order** **Date** **01/09/2015**
Address: The Poplars Farm Road Bourne End Buckinghamshire SL8 5RB
Proposal: Reduce top down by 1.5m, trim sides to shape and balance the tree in order to maintain and contain within its own environment 1 x Yew (T1) and reduce by 1.5m and shape crown in order to maintain and contain 1 x Yew (T2)
Applicant Ms Blackwood **Agent:** Andrea Nias
Ward: Flackwell Heath And Little **Parish:** Little Marlow Parish Council

Glossary:

WDC – Wycombe District Council
TPO – Tree Preservation Order

N/O - No Objections
CLP Certificate of Lawful Proposed Use

Case **15/07027/CTR** Decision: **Not to make a Tree Preservation Order** Date **04/09/2015**

Address: Water Meadow The Drive Bourne End Buckinghamshire SL8 5RE

Proposal: Fell Tree 10: Hazel, Tree 72: Hazel, and Tree 73: Yew

Applicant Miss Katie Jackson

Agent: Mr Katie Jackson

Ward: Flackwell Heath And Little

Parish: Little Marlow Parish Council

Certificate of Lawful Use Date **04/09/2015**

Address: Timsah Riverside Bourne End Buckinghamshire SL8 5RF

Proposal: Certificate of existing lawfulness for Construction of single storey rear extension to create a second bedroom, as shown shaded blue on the attached plan, and Existing use of the building shown edged red on the attached plan as a 2 bed dwelling in breach of a condition 2 of permission W/3497/75

Applicant Ms Sue Pearson

Agent: Walsingham Planning

Ward: Flackwell Heath And Little

Parish: Little Marlow Parish Council

Ref: **15/07100/CTR**

Decision Not to make a Tree Preservation

Order Date:

10/09/201

Address: Willow Brook Lockbridge Road Bourne End Buckinghamshire SL8 5QT
Proposal: Re-pollard three Horse Chestnut trees at the front of the property.

Case Ref: **15/07140/CTR** Decision Not to make a Tree Preservation Order Date: **08/09/201**

Address: Little Marlow Church Of England School School Lane Little Marlow

Proposal: Prune back 6 no. minor branches in Tree Group G4 (as indicated in the Arboricultural Impact Assessment) to provide adequate clearance from new modular classroom block being installed on site.

Case Ref: **15/06941/FUL** Decision Application Refused Date: **18/09/201**

Address: Elmtrees Park Winchbottom Lane Little Marlow Buckinghamshire

Proposal: Application to allow an increase of number of pitches on site from 20 to 21 to allow the siting of one additional mobile home

Case Ref: **15/06968/FUL** Decision Application Permitted Date: **15/09/201**

Address: Kingly Cottage Abbey Road Bourne End Buckinghamshire SL8 5NZ

Proposal: Householder application for insertion of window to front to replace existing garage door in connection with garage conversion to provide additional habitable living accommodation

Case Ref: **15/06742/CLP** Decision Refuse Certificate of Proposed Use Date: **23/09/201**

Address: Kingly Cottage Abbey Road Bourne End Buckinghamshire SL8 5NZ

Proposal: Certificate of lawfulness for proposed insertion of window to front in connection with garage conversion

Case Ref: **15/07150/FUL** Decision Application Permitted

Date: **25/09/201**

Address: Abbots Inch The Avenue Bourne End Buckinghamshire SL8 5RD

Proposal: Householder application for construction of roof extensions and alterations with associated fenestration & external alterations and construction of single storey rear extension, porch and chimney to side. Construction of roof extension and alterations to existing detached garage incorporating front and side extensions to provide double garage, bike store and habitable living accommodation in roof space ancillary to main dwelling.

Case **15/07148/FUL**

Decision: **Application Permitted**

Date **01/10/2015**

Address: The Old Vicarage Church Road Little Marlow Buckinghamshire SL7 3RT

Proposal: Change of use of coach house to 3-bed detached dwelling with associated parking & landscaping (alternative scheme to pp 14/05536/FUL)

Applicant Mr & Mrs c Doherty

Agent: Graham J. Wheeler MCIAT

Ward: Flackwell Heath And Little

Parish: Little Marlow Parish Council

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

Council Name: Little Marlow Parish Council

Date of application: 23rd October 2015

Award level applied for: Quality Status

Local Council Award Scheme checklist

This document is a resource for Local Councils taking part in the Local Council Award Scheme

My council has not registered to take part in the scheme – this document is a useful tool to map where you do meet the criteria, and to help you see what work would need to take place before you apply

My council has the relevant criteria in place and has already registered with NALC – you can complete this document and submit it to your local accreditation panel. This will help them find the necessary information and make sure they don't miss any details by mistake.

Tip – proving a web link to the exact page or document needed is important as it will reduce the risk of the panel missing any necessary information. So instead of <http://www.nalc.gov.uk> use <http://www.nalc.gov.uk/our-work/improvement-and-development/local-council-award-scheme>

Tip – some information and documents are not required to be published online. To keep things simple email these to the panel coordinator at the same time as providing this document. That way they have all the information in one place.

Tip – Don't forget to read the full criteria in the Local Council Award Scheme guide. This form just has the summary, but there is further essential information in the guide which can be downloaded from <http://www.nalc.gov.uk/our-work/improvement-and-development/local-council-award-scheme>

What criteria do I need to meet for each award level?

If you are applying for Foundation – just the Foundation criteria

If you are applying for Quality – both Foundation and Quality criteria

If you are applying for Quality Gold – Foundation, Quality and Quality Gold criteria

If you are unsure what criteria you are required to submit please check with your County Association.

Council Name: Little Marlow Parish Council

Date of application: 23rd October 2015

Award level applied for: Quality Status



The council confirms by resolution at a full council meeting that it publishes online:

Criteria	Do you meet these criteria?	Where are these published online?
1 Its standing orders and financial regulations	YES	Website www.littlemarlowparishcouncil.org.uk/publications under Governance and Policies Standing Orders & Financial Regulations
2 Its Code of Conduct and a link to councillors' registers of interests	YES	Website www.littlemarlowparishcouncil.org.uk/publications Under Governance and Policies Code of Conduct www.littlemarlowparishcouncil.org.uk/councillors Councillor's registers of interest
3 Its publication scheme	YES	Website www.littlemarlowparishcouncil.org.uk/publications under Governance and policies Freedom of Information Inventory 2015
4 Its last annual return	YES	Website www.littlemarlowparishcouncil.org.uk/accounts 2015 Annual Return published here along with previous years.
5 Transparent information about council payments	YES	Website www.littlemarlowparishcouncil.org.uk/meetings Minutes of Council meetings under Finance. Also Financial Regulations which are under www.littlemarlowparishcouncil.org.uk/publications under Governance and polices LMPC Accounts are created on RBS Accounts package. There are four Bank Accounts which are called Cash Books. All of these Cash books can be viewed in the Community Office and the latest month can be viewed on our website.
6 A calendar of all meetings including the annual meeting of electors	YES	Website www.littlemarlowparishcouncil.org.uk/meetings Meeting dates listed.
7 Minutes for at least one year of full	YES	Website www.littlemarlowparishcouncil.org.uk/meetings

Council Name: Little Marlow Parish Council

Date of application: 23rd October 2015

Award level applied for: Quality Status

council meetings and (if relevant) all committee and sub-committee meetings		for a full list of minutes of Council meetings and Committees. Archive minutes are also available
8 Current agendas	YES	Website www.littlemarlowparishcouncil.org.uk/meetings for full list of Agendas of meetings.
9 The budget and precept information for the current or next financial year	YES	Website www.littlemarlowparishcouncil.org.uk/accounts 2015/16 Budget information available and previous years' Budget information available.
10 Its complaints procedure	YES	Website www.littlemarlowparishcouncil.org.uk/publications under Governance and Policies Complaints Policy
11 Council contact details and councillor information in line with the Transparency Code	YES	Website www.littlemarlowparishcouncil.org.uk/Councillors Information regarding Councillors which adheres to the Transparency code.
12 Its action plan for the current year	YES	Website www.littlemarlowparishcouncil.org.uk/publications under Action plan 2015/16
13 Evidence of consulting the community	YES	Website www.littlemarlowparishcouncil.org.uk/meetings 2015 APM minutes under Meetings www.littlemarlowparishcouncil.org.uk/publications Newsletters articles which consult the community. www.littlemarlowparishcouncil.org.uk/Councillors Detailed information on Councillors' participation on Committees of Outside Bodies/Associations.
14 Publicity advertising council activities	YES	Website www.littlemarlowparishcouncil.org.uk/Services Live RSS feed which members of the public can subscribe to and get updates Sign up to our Twitter Feed. Annual Reports under Publications
15 Evidence of participating in town and country planning	YES	Website www.littlemarlowparishcouncil.org.uk/planning Lists all planning applications for which Little Marlow is a Consultee. www.littlemarlowparishcouncil.org.uk/meetings Planning is an Agenda item on all Council Meetings and the Council's responses are recorded in the Minutes

Council Name: Little Marlow Parish Council

Date of application: 23rd October 2015

Award level applied for: Quality Status

		<p>Little Marlow Parish Council is a member of Wycombe District Council's Abbey Barn South and North Liaison Group which is actively working with other Parish Councils, Neighbourhood groups and the District Council to ensure the sensitive development of housing within the Abbey Barn Area</p> <p>Little Marlow Parish Council worked with Wycombe District Council regarding the development of a new Athletics Track in its parish. This consultation is ongoing with formation of a Working Party which we hope will be up and running soon.</p> <p>Little Marlow Parish Council facilitated an open day at the Council offices on a proposed Solar Farm in the parish, put information about the proposed plans on display boards at the APM, at the Council's stand at the Village Fete and in the newsletter and asked for Parishioners' views.</p> <p>Detailed within our Action Plan 2015/16.</p>
--	--	---

Council Name: Little Marlow Parish Council

Date of application: 23rd October 2015

Award level applied for: Quality Status

The council also confirms by resolution at a full council meeting that it has:

Criteria	Do you meet these criteria?	Where are these published? Can they be provided electronically?
16 A risk management scheme	YES	Website www.littlemarlowparishcouncil.org.uk/publications Under Risk Assessments
17 A register of assets	YES	Website www.littlemarlowparishcouncil.org.uk/accounts Register of Assets
18 Contracts for all members of staff	YES	Website www.littlemarlowparishcouncil.org.uk/contacts All contacts are listed.
19 Disciplinary and grievance procedures	YES	Website www.littlemarlowparishcouncil.org.uk/publications under Governance and Policies Grievance Policy and Procedures Disciplinary Policy and Procedures
20 A policy for training new staff and councillors	YES	Website www.littlemarlowparishcouncil.org.uk/publications under Governance and Policies Training Policy
21 A record of all training undertaken by staff and councillors in the last year	YES	Website www.littlemarlowparishcouncil.org.uk/publications Under Governance and Policies Training policy contains training record
22 A clerk who has achieved 12 CPD points in the last year	YES	Website www.littlemarlowparishcouncil.org.uk/publications Training Policy and training record. The Clerk has achieved 15 CDP points and attended other courses which we believe should also be counted as CDP points.

Council Name: Little Marlow Parish Council

Date of application: 23rd October 2015

Award level applied for: Quality Status



The council confirms by resolution at a full council meeting that it publishes online:

Criteria	Do you meet these criteria?	Where are these published online?
1 Draft minutes of all council and committee meetings within four weeks of the last meeting	YES	Website www.littlemarlowparishcouncil.org.uk/meetings for a full list of minutes of meetings. Archive minutes are also available
2 A Health and Safety policy	YES	Website www.littlemarlowparishcouncil.org.uk/publications under Governance and Policies Health & Safety Policy
3 Its policy on equality	YES	Website www.littlemarlowparishcouncil.org.uk/publications under Governance and Policies Equal Opportunities Policy
4 Councillor profiles	YES	Website www.littlemarlowparishcouncil.org.uk/Councillors Profiles and pictures
5 A community engagement policy involving two-way communication between council and community	YES	Website www.littlemarlowparishcouncil.org.uk/publications under Governance and Policies Community Engagement Policy Membership of a number of outside bodies demonstrating a two way communication between the Council and the community. www.littlemarlowparishcouncil.org.uk/councillors Under Councillors there is a list of Committee Members & Representatives on Outside Bodies
6 A grant awarding policy	YES	Website www.littlemarlowparishcouncil.org.uk/publications under Governance and Policies
7 Evidence showing how electors contribute to the Annual Parish or	YES	Website www.littlemarlowparishcouncil.org.uk/meetings Minutes of Annual Parish Meeting. In 2015 parishioner presented on concerns she had on tree

Council Name: Little Marlow Parish Council

Date of application: 23rd October 2015

Award level applied for: Quality Status

Town Meeting		management on the Recreation Ground.
8 An action plan and related budget responding to community engagement and setting out a timetable for action and review	YES	Website www.littlemarlowparishcouncil.org.uk/publications under Action Plan 2015/16
9 Evidence of community engagement, council activities and the promotion of democratic processes in an annual report, online material and regular news bulletins	YES	Website www.littlemarlowparishcouncil.org.uk/publications Community Engagement policy under Governance and Policies Promotion of the democratic process through our website, Newsletter (Spring 15) and Annual Report under publications www.littlemarlowpublications.org.uk Home page There is a RSS news feed where members of public can see latest new and sign up for updates. News can also be accessed via our Twitter page.
10 Evidence of helping the community plan for its future	YES	Website www.littlemarlowparishcouncil.org.uk/publications Through the Action plan which is put together based on the requirements of the community. Through consultation on planning applications (available through minutes) and organising an open day on important planning issues. Detailed in newsletter (Autumn 15) and minutes of meetings. Attending Little Marlow Village Fete annually with a stand, Annual Parish Meeting, Little Marlow Residents' Association AGM, liaising directly with members of the public regarding community issues – evidence in Newsletter. Participating in WDC Planning Forums and Local Plan Stakeholder briefings and reporting back to community via Council meetings - evidence in minutes Working with community through working parties including recent formation of working party with Little Marlow School to improve the safety of the children attending school. Evidence in Action Plan and minutes (Reports from outside meetings).

Council Name: Little Marlow Parish Council

Date of application: 23rd October 2015

Award level applied for: Quality Status

The council also confirms by resolution at a full council meeting that it has:

Criteria	Do you meet these criteria?	Where are these published? Can they be provided electronically?
1 a scheme of delegation (where relevant)	YES	Website www.littlemarlowparishcouncil.org.uk/publications Standing Orders, Meetings section nine. Absence of Chairman and Vice Chairman.
2 up-to-date insurance policies that mitigate risks to public money	YES	Website www.littlemarlowparishcouncil.org.uk/publications Under Governance and Policies Copy of insurance certificate
3 addressed complaints received in the last year	YES	Website www.littlemarlowparishcouncil.org.uk/publications Under Governance and Policies Complaints procedure. There have been no complaints over the last year.
4 at least two-thirds of its councillors who stood for election	YES	In May 2015 election over two thirds of the Council stood for election. Evidence via Wycombe District Council election services www.wycombe.gov.uk
5 a printed annual report that is distributed at locations across the community	YES	Website www.littlemarlowparishcouncil.org.uk/publications Annual Reports are published on our website and are available in hard copy at our Community Office. Extracts of the Annual Report are also published within our Newsletter (Autumn 15) which is distributed to each household twice a year.
6 a qualified clerk	YES	CiLCA qualified in August 2015
7 a clerk (and deputy) employed according to nationally or locally agreed terms and conditions	YES	Employees are employed under NALC contracts. Records are kept in the Council Office
8 a formal appraisal process for all staff	YES	A formal appraisal process is in place for all staff. Records are kept in the Council Office.
9 a training policy and record for all staff and councillors	YES	Website www.littlemarlowparishcouncil.org.uk/publications Under Governance and Policies Training policy which contains training record.

Council Name: Little Marlow Parish Council
Date of application: 23rd October 2015
Award level applied for: Quality Status

Little Marlow Parish Council

Community Engagement Policy

Resolved at the Council Meeting on 20th October 2015

Little Marlow Parish Council aims to be responsive to the needs of the local community and to involve its parishioners in the Council's decision-making about the issues which affect them including planning, delivery of services and the future of the area. To achieve this, the Council will provide its parishioners with

- relevant information about services, policies and decisions that might affect or interest them;
- opportunities for them to have their say about decisions, services and plans through consultations, surveys and conversation;
- opportunities to get involved, over and above informing and consulting, to give them a greater influence over decisions and delivery.

In doing so, the Council will follow the principles set out below and will:

Honesty and openness

- Make clear the purpose of any engagement activity and use the right methods (proportionate to the significance of the issues) to engage the local community
- Be clear about what can be influenced
- Use honest, accurate and unbiased information

Listening

- Listen and respond to individuals and communities, enabling and empowering parishioners to play an effective role in setting priorities, designing services and influencing decisions to shape their local area.

Inclusion

- Undertake fair and impartial engagement to a high standard to ensure that all parishioners are offered equal opportunities to participate in issues that may affect them and make a difference.

Working together

- Act together when appropriate with a consistent approach to community engagement.
- Share knowledge and information openly with parishioners and partner organisations, whilst respecting confidentiality.
- Use what has been learnt from contact with local people to better understand and engage with the community, and to improve the services it delivers.

Keeping in touch

- Provide feedback and demonstrate the changes that are made as a result of engagement.

The Council will use the following tools to

a) inform

- posters, fliers and publications including Parish Newsletter
- Information stall eg at Village Fete, Annual Parish Meeting
- Public and specific meetings including Parish Council meetings, Annual Parish Meeting
- Presentations, briefings.
- Website updates, Email, Twitter, webpage subscription

b) consult

- Questionnaires and surveys
- Online surveys and e-consultation (via the internet).
- Residents' Associations and community groups.
- Discussion/focus groups/forums/e-forum.
- Written consultation through letter or email.
- Consultation events/workshops/ /exhibitions/general events
- Public, neighbourhood or specific meetings
- Documents or information available in offices, public buildings or online.
- Verbal consultation with community representative acting as a scribe.

c) involve

- Working parties
- Public or specific targeted discussion meetings with interested parties
- Public or stakeholder workshops to identify issues and shape options,
- Public visioning events, ideas competitions, interactive displays.
- Online discussion forums.
- Community led plans (e.g. parish plans/neighbourhood plans)/community action plans.
- Comments and complaints.

LITTLE MARLOW PARISH COUNCIL



POLICY FOR ANONYMOUS COMMUNICATION

Resolved at the Council Meeting 20th October 2015

1. INTRODUCTION

This policy outlines how Little Marlow Parish Council (LMPC) will act upon information contained in anonymous letters and other anonymous communications ("anonymous communications") as defined in paragraph 4.

2. SCOPE

The Policy applies to all Members, whether Councillors or staff.

3. AIM

To provide a consistent approach to dealing with anonymous communications.

4. DEFINITION OF ANONYMOUS COMMUNICATION

This is a written or verbal communication where no name, address or identifying factors are given. This may include phone calls, 'round robins', newsletters, emails, texts, blogs, websites, social media and all forms of electronic communications.

5. VERBAL ANONYMOUS COMMUNICATIONS

- a) Any Member receiving a verbal anonymous communication should respond by stating that LMPC will not take any action in respect of such a communication unless it is put in writing. Exceptionally, the need for immediate action or investigation may prevent the provision of a written communication at that point.
- b) A visitor or caller should be encouraged to provide their contact details, and be passed to LMPC's Clerk for recording and for deciding on further action
- c) If no written communication is provided by the visitor or caller, a note summarising what verbal communication took place should be created by the Member and passed to LMPC's Clerk

6. STEPS TO BE TAKEN WITH ANONYMOUS (INCLUDING ELECTRONIC) COMMUNICATIONS

Unless of a purely trivial or frivolous nature all anonymous written communications should

- a) be treated as being in strict confidence by all Members and accorded a suitable reference number
- b) in the first instance be circulated by email to all Members with any personal and sensitive information redacted from the anonymous communication

c) An un-redacted copy shall be made available for inspection by Members at the Parish Council offices and shall be produced at the next Council meeting or if earlier at the appropriate next Committee meeting.

7. WHEN DECIDING WHAT ACTION TO TAKE, THE FOLLOWING SHOULD BE CONSIDERED

- a) LMPC may not consider anonymous letters or other anonymous communications unless there is corroborating evidence, and the Parish Council expressly reserves the right to take no action unless the anonymous communication alleges significant health & safety issues, a criminal offence, fraud or irregularity and where there exists supporting information which suggests the allegation can be substantiated
- b) Seriousness of the issues raised and its effect on the community
- c) Criminal and legal implications
- d) Health and Safety of Members
- e) Credibility of the concern
- f) Whether sufficient information is provided to corroborate the allegation(s) and enable an investigation to be carried out
- g) Fraud and any other irregularities detrimental to the Parish Council
- h) Anonymous communications or indeed any form of communication considered to be Vexatious or Malicious may be forwarded to the appropriate authorities, and LMPC will provide full support for those authorities to carry out their investigation

8. OTHER MATTERS

- a) The log/record of anonymous communications should be periodically reviewed to identify any developing trends.
- b) Where the writer has provided contact details but has asked for anonymity their right to privacy should be respected
- c) Due caution must be exercised when reacting to anonymous communications which appear to be malicious, potentially libellous or of an extremely personal nature
- d) This policy should be reviewed periodically to check compliance with legislative changes which may occur in future

Little Marlow Parish Council

EQUALITY POLICY STATEMENT

Resolved at Full Council Meeting 20th October 2015

Review date 20th October 2017

Statement of Policy

The aim of this Policy is to communicate Little Marlow Parish Council's commitment of to the principles of fairness and equality for everyone who lives in, works in or visits Little Marlow. The Council recognises that everyone who lives in the parish has a stake in the future of Little Marlow. It will therefore make every effort to ensure that the Council's activities and services are accessible and relevant to all its parishioners. It will also seek to reduce social exclusion by making its services, facilities and resources more responsive to community and individual needs.

Little Marlow Parish Council is committed to equality of opportunity in all aspects of employment. All employees will be treated equally regardless of gender, race, colour or nationality, age, disability, sexual orientation, religious and political beliefs, marital status or offending history.

The Council is committed to achieving the highest standard of service delivery and employment practice. Equality of opportunity for all sections of the community and the workforce is an integral part of this commitment. The Council also aims to promote mutual respect through embracing diversity and celebrating differences at all times.

The purpose of this Policy is to ensure that all employees, contractors, job applicants and all those who have any dealings with Little Marlow Parish Council will be treated fairly by the Council and its employees, as well as by contractors employed by the Council. The Council is committed to ways of working and communicating which ensure that no service user (or potential service user) or employee experiences unfair discrimination and harassment.

The Council's aim is to serve all members of the communities for which it is responsible. If it notices that people from some social groups or sections of the community appear to be under-represented among those using its services or facilities, it will try to find other ways to reach them.

LITTLE MARLOW PARISH COUNCIL



HEALTH AND SAFETY POLICY STATEMENT IN ACCORDANCE WITH SECTION 2(3) OF THE HEALTH AND SAFETY AT WORK ETC. ACT 1974

Resolved at the 20th October 2015 Full Council Meeting.

1.0 – INTRODUCTION

This document has been compiled to provide information and guidance to all employees on this Council's Health and Safety Policy and organisational arrangements for implementation of that policy.

2.0 – STATEMENT OF HEALTH AND SAFETY POLICY

2.1 It is the policy of this Council to provide and maintain safe and healthy working conditions, equipment and systems of work for all our employees, and to provide such information, training and supervision as they need for this purpose. We also accept our responsibility for the health and safety of other people who may be affected by our activities.

2.2 The allocation of duties for safety matters and the particular arrangements which we will make to implement the policy are set out below.

2.3 The policy will be kept up to date and reviewed once every four years. A review will also be conducted in the event of a serious accident.

3.0 – THE ORGANISATION AND RESPONSIBILITIES

3.1 Overall Responsibility

The Parish Clerk has overall and final responsibility for ensuring:

- (a) the provision and implementation of the Health and Safety Policy;
- (b) review of the Health and Safety Policy.

3.2 The Parish Clerk will be responsible for:

- (a) establishing safe systems of work and procedures for carrying out the Council's Health and Safety Policy incorporating any Regulations, approved Codes of Practice and other relevant legislation;

- (b) ensuring that safe working procedures and safe systems of work are implemented by staff and contractors and that a safe working environment is provided for them;
- (c) ensuring that all employees under her control receive adequate training, information and supervision to maintain safe standards.
- (d) maintaining safe working practices in order to achieve maximum safety;
- (e) ensuring adequate safety supervision and training where required:
- (f) ensuring that all safety rules are observed and that protective clothing and equipment is supplied, worn or used where required;
- (g) ensuring that all machinery and equipment is properly maintained and safe to use .

All employees have the responsibility to co-operate with their Line Manager to achieve a healthy and safe workplace and to take reasonable care of themselves and others.

All Council employees are required to:

- (a) make themselves familiar with and conform to the Council's Health and Safety Policy;
- (b) observe safety rules at all times;
- (c) where required, wear protective clothing and use appropriate safety devices provided;
- (d) report to their immediate Line Manager all accidents, injuries to persons and damage to vehicles and equipment;
- (e) know the location of First Aid facilities;
- (f) report all safety hazards as a matter of urgency to their immediate Line Manager;
- (g) know what to do in the case of fire or other emergency and the location of fire fighting equipment;
- (h) maintain good housekeeping at all times;
- (i) observe safe standards of behaviour and dress.

All Contractors engaged by the Council are required to

- (a) assess the risks to health and safety attached to all work to be done
- (b) have robust risk management policies in place
- (c) submit a copy of their risk management policies to the Parish Clerk

3.3 It is the policy of this Council that all employees shall receive training in all safety aspects of their occupation.

3.4 It shall be the duty of all staff to carry out a visual safety inspection of equipment prior to using any such machinery.

3.5 It shall be the responsibility of the Parish Clerk to investigate all accidents on Council premises and to submit a full report to Full Council who, if necessary, will make recommendations to the Council on accident prevention.

3.6 It shall be the responsibility of the Parish Clerk to monitor the maintenance of all equipment and to submit reports for consideration by the Parish Council on replacing machinery that is no longer fit for purpose.

4.0 – GENERAL ARRANGEMENTS

4.1 First Aid

First Aid boxes are located in Pavilion Kitchen and Community Office & Abbotsbrook kitchen. The Parish Clerk is responsible for carrying out checks every six months to ensure the contents are adequately maintained.

Defibrillators are located at the entrance to the Pavilion and in Abbotsbrook Hall. They will be checked on an annual basis.

The appointed person to deal with First Aid provision at the Pavilion is the Clerk and nominated deputy. A minimum of two representatives of the Council will be in first aid. The Clerk will be the primary First Aider with a nominated person as deputy.

4.2 Accidents, Injuries and Dangerous Occurrences

It shall be the responsibility of the Parish Clerk to record all incidents in the Accident Book and to report those Injuries, Diseases and other Dangerous Occurrences to the Health & Safety Executive. The Accident Book is located in the Parish Clerk's office.

4.3 Fire Safety

Fire risk assessments will be conducted annually for all Council premises.

Escape Route

(a) Pavilion

It shall be the responsibility of the Parish Clerk to see the fire exits are kept clear at all times.

(b) Abbotsbrook Hall

It shall be the responsibility of the Abbotsbrook Caretaker to see the Fire exits are kept clear at all times.

Fire Extinguishers

It shall be the responsibility of the Parish Clerk to organise annual inspections of all fire extinguishers on the Council's premises.

4.5 Records

It shall be the responsibility of the Parish Clerk to ensure that all fire safety tests are logged in a records book which shall be provided for this purpose.

5.0 Training

5.1 It shall be the responsibility of the Parish Clerk to issue all newly appointed staff with a personal copy of the Little Marlow Parish Council's Health and Safety Policy and such supplements as are applicable to his/her duties and responsibilities.

6.0 Contractors and Visitors

6.1 Where contractors and sub-contractors are engaged by the Parish Council, they must maintain effective control of themselves and those working under them so as to ensure that they comply with the responsibilities and duties under the Health and Safety at Work Etc. Act 1974.

6.2 It shall be the responsibility of contractors and sub-contractors to ensure that any of their staff working on Council land and premises have received adequate training in all safety aspects of their occupation and, in particular, the use of strimmers, mowers, hedge trimmers and other tools and machinery.

6.3 Special Training

Only those contractors or sub-contactors and those working under [them](#) who have attended the appropriate courses, and obtained the appropriate certificates, will be authorised to use chainsaws, pesticides and herbicides.

6.4 The Parish Council shall ensure that those not in employment of the Council, including the general public, are not exposed to risks to their safety or health when on the Council's premises.

8.0 Advice and Consultancy

The HSE Inspector's Office responsible for Bucks is:

Local Area Inspector
Woodlands
Manton Lane
Manton Lane Industrial Estate
Bedford
Fax: 01234 220633
Website: www.hse.gov.uk

LITTLE MARLOW PARISH COUNCIL

TRAINING POLICY

Resolved by Full Council at its meeting on 20 October 2015

Date for Review: October 2017

The Parish Council is committed to training its staff and Councillors. It recognises that well trained and informed officers promote good practice within the Council and increase and encourage community activities. As a voluntary organisation, the Council values the time given by its Councillors to their community. This policy is aimed at maximising the rewards from that time by ensuring that its Councillors understand and enjoy the role they undertake in their community and are properly equipped for it.

- The Parish Council will identify training needs in the light of the overall objectives of the Council and the requirements of the individual. This will be done by means of staff appraisals, questionnaires, interviews, formal and informal discussions as well as other methods as appropriate.
- The Parish Council will encourage its employees and all of its Councillors to attend training meetings and pay expenses arising from such training.
- The training offered to its Clerk will be no less than the minimum requirement of Continuous Professional Development required by the Institute of the Society of Local Council Clerks.
- The Parish Council will ensure that all of its new Councillors receive adequate training at the earliest opportunity in their term of office. Training will include matters relating to Audit and Financial management.
- The Parish Council will evaluate and measure the impact and effectiveness of all training.
- The Parish Council will maintain a library of current publications on books offering advice concerning all aspects of local government.

- The Parish Council is committed to networking with other councils, as it sees this as an effective means of information gathering, and where possible to link in with training events held by other councils.
- Contracts of employment and job descriptions given to staff members will include details of the Council's commitment to training. The Clerk is encouraged to maintain membership of the Society of Local Council Clerks, which provides on-going training for its officer members.
- The Parish Council is committed to its Clerk being a member of the Society of Local Council Clerks recognising that it is a lead provider in training for officers. This commitment could in the future extend to the Clerk's membership of the Institute of Local Council membership and to the CPD required to maintain membership of the Institute.
- The Parish Council will ensure that training for both employees and Councillors is adequately covered as an item in the annual budget; that membership fees for the Association and the Society are included in the budget.
- The Parish Council will maintain a Training Record giving details of dates, titles and providers of development activity undertaken by employees and Councillors.

**Little Marlow Parish Council
Training Record 2015-6**

Councillors	Date	Training Course	Provider
Kath Acres			
Valerie Brownridge	10/02/2015	Planning in a nutshell	WDC
	24/02/2015	Safety Awareness (Devolved services)	Bucks CC
	16/03/2015	Legal Training	WDALC
	30/06/2015	Planning Forum	WDC
	26/11/2015	Interacting with the media	WDALC
Jason Downes			
Philip Emmett	25/02/2015	Parish Councils delivering more	Bucks CC
Anthea Falk	07/07/2015	Being a Parish Councillor	WDALC
	26/11/2015	Interacting with the media	WDALC
Geoff Fitchew			
Richard Mash			
Vivien Morton	03/09/2015	Budget Training	WDALC
	28/10/2015	Councillor Induction	WDALC
Roger Randall	28/10/2015	Councillor Induction	WDALC
Staff			
Emma Marsden (Clerk)	18/02/2015	Cemetery Compliance	ICCM/BALC
	25/02/2015	Parish Councils delivering more	Bucks CC
	16/03/2015	Legal Training	WDALC
	16/08/2015	CiLCA completed and passed	SLCC
	03/09/2015	Budget Training	WDALC

**Little Marlow Parish Council
Training Record 2015-6**

Mr Samuels			
Mrs Samuels			

The General Power of Competence

Empowering councils to make a difference



Foreword



This paper is published at a critical time for local government. Councils have taken significant cuts to their funding during a period of economic austerity with yet more to come and face continued pressure

on funding alongside increased demand. Yet, as this paper demonstrates, through the use of the new General Power of Competence (GPC) they have sought to continue to deliver services efficiently and in new ways.

The Local Government Association (LGA) has been a driving force behind the introduction of a general power of competence; in March 2010 we presented a Draft Local Government (Power of General Competence) Bill to Parliament. This helped shape the Power that was introduced under the Localism Act 2011.

Although it has only been in place for a short time we have seen what councils can do when they are given greater freedom to make a difference.

Giving more power to local councils to enable them to make changes locally is vital if we are going to be able to design and deliver more efficient public services and help local areas innovate and, in particular, promote growth in their local area.

The LGA recently launched a new model for local government to address the question of democratic fairness and provide a blueprint for revitalising our democracy.

Entitled 'Rewiring Public Services', it contains ten key propositions that will radically transform local government and its relationship with Whitehall and Westminster.

What has become clear is that those working in local government agree we need a fundamental rethink about the current system, both to safeguard the future delivery of services and to make sure that local government is sustainable. The use of the General Power of Competence by councils in this paper shows that a new, locally led approach can yield positive outcomes and change for our communities.

However, despite the impressive examples in this paper, use of the General Power of Competence is limited by significant constraints set by central government. Local government needs far greater independence from central interference. The command and control, parent child relationship must be changed if local government is to be fully empowered to make a difference for local people.

But notwithstanding these constraints the GPC is an improvement on what we had before. I would therefore encourage councils up and down the country to make full use of the freedom it does give to innovate and think differently about how we can serve our communities.

Councillor Sir Merrick Cockell
LGA Chairman

Contents

Key messages	4
Using the power to innovate	4
Giving greater confidence to change	5
Constraints on the use of the GPC	5
What is the 'general power of competence'?	8
What is the GPC being used for?	9
Regeneration and supporting the local economy in difficult times	11
Delivering greater value for money	12
Further innovative and other uses of the GPC	13
Building on existing innovation	14
Scope for further use of the GPC	16
Constraints on the wider use of the GPC	16
Making good use of the GPC – top tips	18

Key messages

These are challenging times for councils. They are playing a major part of the national deficit reduction plan. Grant to councils is being cut by 33 per cent in real terms during the four years of the Spending Review 2010 period, from April 2011 to March 2015. The spending review for 2015/16 continues the pressure to produce savings, with a reduction of 10 per cent in real terms of the grant going to local government. The continuing sluggish economy is putting further pressure on council's revenue streams and services.

In response to these factors, councils recognise that radical service transformation is required and that they have a key role to play in promoting and facilitating local economic growth. This difficult economic and financial environment presents both opportunities and barriers to the provisions included in the Localism Act 2011.

Among these provisions, the General Power of Competence (GPC) is an important legislative statement that councils have the power to do anything an individual may do, unless specifically prohibited. The GPC is welcomed across the sector, as a wider statement of their powers than the previous wellbeing powers. But to date it may be characterised as an evolutionary rather than a revolutionary change.

The LGA, on behalf of the sector, campaigned for a power such as the GPC. This was in recognition of the unique position of councils as locally elected bodies to act in the best interests of their communities, and their track record of delivering efficiencies and innovation and in providing good value for money. Further progress in such areas could have been at risk if the uncertainties around council's powers to act were to remain.

This paper explores whether councils have been taking advantage of the GPC since its introduction in February 2012, and if they have, how and to what purpose; if they haven't, why was this; the barriers councils may still be experiencing and any lessons which can be drawn. It is hoped that it will encourage wider use of the power by providing examples of how councils are using it to make a difference.

Using the power to innovate

Councils demonstrated innovation to meet community needs and financial pressures prior to the Localism Act 2011 and will continue to do so. Some councils believe they can bring about, and have in practice achieved, significant innovation using pre-existing powers. For other councils, the debate leading up to the Localism Act and the GPC itself has been an important spur to innovation.

There is wide recognition that the right mindset – an entrepreneurial approach, a willingness to take managed risks and ‘think outside of the box’ are at least as important as the existence of a power or otherwise in enabling innovation.

Giving greater confidence to change

Councils generally share the view that the GPC does give greater confidence to work in new ways, and develop new services and partnerships. It is also a symbolic statement which promotes innovation and frees up thinking, whether or not the power is used to provide the specific legal basis for the actions taken.

There are some indications that this growth in confidence may have been felt most by smaller councils – districts and town/parish councils rather than ‘upper tier’ councils which have enjoyed a wider range of powers and resources to begin with. There are examples of the use of the GPC in partnership across the different tiers of local government.

The GPC is also a challenge to the instinctive caution of some in local government, by clearly showing that just about anything is possible (unless specifically prohibited) and not constrained by the need to ensure that it is permitted by specific legislation. Members may see this as an opportunity to challenge the caution of some officers – even though the caution might nonetheless be valid. The GPC may provide statutory officers the assurance they require to endorse some more innovative and radical approaches.

Constraints on the use of the GPC

In addition to limited resources, councils report a number of constraints on the use of the GPC in practice.

- **Trading restrictions:** the types of company structures which may be employed in trading or other activities under the GPC are restricted to companies limited by shares or guarantee or industrial or provident societies. This prevents the use of community interest companies or similar, which councils may find more appropriate in some circumstances.
- **Charges** made under the GPC may only be made for discretionary services and should be set at a level which simply recovers costs and does not generate a profit or surplus, which limits the ability of the power to raise additional revenue.
- **Legal restrictions:** the need to check for pre- and post-commencement limitations can take time, and may lead to a more specific power being used anyway. The GPC does not extend the ability of councils to create byelaws or undertake enforcement.

It is important to recognise that the GPC is a means to an end. Councils do not – nor should they – seek out opportunities to apply the new power. Rather they should begin with what they want to achieve and then see if the GPC is a tool which will help them to get there.

If the power is used in this way, in support of reasonable and accountable decision making in line with public law principles, with an awareness of the remaining limitations on the power, then it should be robust and less susceptible to successful legal challenge such as those which gave rise to increased uncertainty around the application of the previous wellbeing powers in some situations.

Notwithstanding the constraints, there are encouraging signs that councils will continue to use the GPC, and take advantage of the environment for change which it is helping to foster, to deliver further innovation despite the unfavourable financial climate.

For the avoidance of doubt, this paper is not intended to nor does it constitute legal advice. Councils will need to obtain their own independent legal advice on any matters of a legal nature arising in connection with the General Power of Competence.





What is the General Power of Competence?

The General Power of Competence (GPC) was introduced by the Localism Act 2011 and took effect in February 2012. In simple terms, it gives councils the power to do anything an individual can do provided it is not prohibited by other legislation. It applies to all principal councils (district, county and unitary councils etc). It also applies to eligible¹ parish and town councils. It replaces the wellbeing powers in England that were provided under the Local Government Act 2000.

The scope – and some limitations – of the General Power are set out in sections 1 to 6 of the Localism Act 2011.

In summary, the GPC enables councils to do things²:

- an individual may generally do
- anywhere in the UK or elsewhere
- for a commercial purpose or otherwise, for a charge or without a charge
- without the need to demonstrate that it will benefit the authority, its area or persons resident or present in its area (although in practice councils will want to realise such benefits).

But there are some limitations on the General Power, either because they are not things which an individual can do or because they are excluded by the Act. The GPC will not:

- provide councils with new powers to raise tax or precepts or to borrow
- enable councils to set charges for mandatory services, impose fines or create offences or byelaws, over and above existing powers to do so
- override existing legislation in place before the Localism act 2011, so-called ‘pre-commencement limitations’ (however powers enacted after commencement of the GPC will only limit the GPC if this explicitly stated in the legislation).

Where using the GPC for charging or trading purposes, the recipient should agree to the service being provided, the income from charges should not exceed the cost of provision and, where things are done for commercial purposes, this must be done through a specified type of company.³

Notwithstanding the limitations outlined above, the GPC remains a broad power.

¹ An eligible council is one which has resolved to adopt the GPC, with at least two thirds of its members being declared elected and the Clerk must hold an appropriate qualification (Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012).

² Further discussion of the legal implications of the GPC can be found in the Local Government Association (LGA) essay ‘Power to make a difference’, October 2011: <http://tinyurl.com/nppcc4b>

³ Either as required by the Companies Act 2006 or a society registered under the Co-operative and Community Benefit Societies and Credit Unions Act 1965 or the equivalent in Northern Ireland.

As part of the Government's wider localism agenda, the GPC is intended not only to increase local authority powers but to give greater confidence in the scope of those powers and to signal that how those powers are used is a matter for local authorities (Department for Communities and Local Government, November 2011).

It should encourage more managed risk taking by councils. In enacting the GPC, the Government intended to remove the uncertainty which had arisen around the scope of the previous wellbeing powers – to promote the economic, environmental and social wellbeing of a council's area – where the courts had found that these powers did not enable councils to enter some arrangements such as a mutual insurance company across several councils – the so-called London Authorities Mutual Ltd (LAML) case in 2009⁴.

What is the GPC being used for?

Although at the time of writing the GPC has been in place for a little under a year and a half, since February 2012, it is still possible to discern some emerging patterns in how the power is being used. The key benefits of the GPC to councils can be summarised under the following headings:

Extending services and support into new areas

Stating that councils can do anything an individual can do (unless specifically prohibited) in legislation has given greater confidence to do new things and do things differently – the default setting is now 'yes

we can unless...' rather than 'we can't unless specifically permitted'. The ultra vires issue becomes less of a concern. For instance, the GPC has already given a number of councils the specific legal basis and confidence to extend their services and support beyond the arena traditionally seen as the responsibility of the authorities like them.

Oxford City – helping to tackle poor attainment in primary schools

The GPC has given Oxford City Council (a district council) the confidence to develop a school improvement support programme to raise attainment and assurance to statutory officers that it had the power to do so. The city council is thus making a contribution in an important service area previously regarded as the preserve of an upper tier council

Major local employers were concerned that local young people did not have the skills they require. Consultation with schools identified that the root of the problem lay in under achievement in primary schools, especially in the most deprived areas of the city. Working with the two local universities, good local schools and a specialist education consultancy, the city council has put in place a programme of improvement support for schools. The programme has two main elements – leadership and teaching skills – and represents an investment of £1.6 million over four years. For more information and contact details please refer to the case study included in the Annex to this report available at: www.local.gov.uk/localism-act

⁴ Brent LBC v Risk Management Partners Ltd and London Authorities Mutual Ltd and Harrow LBC as interested parties, Court of Appeal 2009 (which took a narrow view of the scope of wellbeing).

Parish and town councils, in particular, have found being eligible to adopt GPC (as outlined in the previous section) a major boost to their confidence to act and also that of their members in general. They have used the GPC to provide the basis for taking on responsibility for services previously provided by one of the principal authorities for the area, for example because these are being withdrawn as a result of financial pressures and a review of priorities. Clerks to town and parish councils have found it positive to be able to advise members that it is possible for their councils to do more things, where this is aligned to council and community priorities and at reasonable cost. Even when not used to support new services or innovation, it has saved time and resources in searching for more specific powers.



Parish councils – ensuring continuing youth service provision and improving community facilities

Adopting the GPC has given town and parish councils the confidence and power to take on additional services, including where principal authorities have had to reduce provision.

Crewkerne Town Council has taken over the running of youth clubs previously provided by Somerset County Council, to be offered through a purpose build sports and community centre.

Sprowston Town Council has acquired a former youth and community service building from Norfolk County Council which it is refurbishing to provide a multi-use community centre.

In both instances, the GPC gave councillors the power and confidence to act and the Town Clerks the assurance that they could recommend this course of action. These services were priorities for both councillors and the community. The GPC enabled Crewkerne to fund the youth service by avoiding the limitations on discretionary spend imposed by s137 of the Local Government Act 1972. Sprowston used other provisions in the Localism Act 2011 – the Community Right to Bid – to enable it to acquire the building from Norfolk County Council.

For more information and contact details please refer to the case study included in the Annex to this report available at: www.local.gov.uk/localism-act

A further area that has been stimulated by the GPC is councils leading on energy switching schemes (although some councils have proceeded with such schemes without explicit reference to the GPC).

Taking advantage of the buying power presented by bringing together residents from within their area and others, councils have been able to secure better energy deals for domestic users. Working with specialist energy switching companies, this is helping households to limit the costs of a major element of family budgets in difficult times, whilst securing reputational benefits for the authorities.

Estimates from some of the councils participating suggest savings of over £150 per household a year are possible.

One such scheme involves 12 councils from across the country, including Hertfordshire County Council and South Holland District council, which both cited GPC in support of the scheme. Over 8,500 households have participated in this particular switching initiative.

Regeneration and supporting the local economy in difficult times

A number of councils are finding the GPC helpful in building greater economic growth and resilience in their local communities, providing both a legal power on which to act and / or giving greater confidence to work in new and innovative ways.

Newark and Sherwood – thinking ‘BIG’ to help local businesses grow

For Newark and Sherwood District Council, the existence of the GPC gave a further stimulus for innovation and encouragement to think about doing new and different things.

The district is a growing community, with 14,000 new homes planned. It has many smaller businesses, which the council wants to help realise their growth potential. Consultation with local businesses and other stakeholders identified the availability of finance as a key challenge. The council therefore established a £2 million fund, financed by the New Homes Bonus. Called ‘Think BIG’ (Business Investment in Growth), the fund aims to provide loan finance to local businesses with growth potential, where they have not been able to secure the funding elsewhere such as from the banks. Acting on the advice of an independent panel of experts, following 20 applications, four loans have been made to date worth £285,000 in total. The average turnover of businesses supported is £672,500. These loans have safeguarded 40 jobs and there is the potential to create 43 new jobs.

Hertfordshire County Council has used the GPC to provide the basis for its participation in the Local Authority Mortgage Scheme (LAMS), working in partnership with most of the district councils in the county, Lloyds TSB and the Leeds Building Society.

The scheme is intended to support the local housing market and economy through help to first time buyers and key workers in particular. The scheme indemnifies lenders and enables buyers to access the terms of a 75 per cent mortgage with only a 5 per cent deposit, the balance of the funding coming from the indemnity scheme. The indemnity lasts for five years (the period of greatest risk) during which time the council earns interest on the amount of the indemnity.

The funding plus interest accrued is then returned to the council. Including £12 million from the county council, councils in Hertfordshire have made available £16.5 million in funding to the scheme. Begun in East Hertfordshire in March 2012, the scheme aims to help over 500 first time buyers into the housing market. Other councils reported that they had used the GPC as the basis of loans or grants to local employers to help secure jobs and support the wider local economy.

Delivering greater value for money

The GPC saves time on searching for more specific powers – making it easier for lawyers to say ‘yes’ given the existence of the GPC as a power of first resort. More importantly, it frees up time to think about should we do this, how best do we do it and how do we manage the risks – rather than expending time and effort on determining do we have the power to do this. However, councils still need to check that pre- and post-commencement limitations do not apply and adhere to established public law principles in decision making.

Several councils cited the broader definition of the General Power compared to the previous wellbeing powers (where it was necessary to identify a specific link to the economic, environmental or social wellbeing of the area) as providing a more secure legal basis for entering shared services or similar arrangements. It had reduced the uncertainty arising from previous litigation in this area, such as the LAML case. It is also important that the GPC gives private sector and other potential partners greater confidence in the validity of contractual and other relationships, reducing the risk that they will be declared void by the courts and supporting longer term partnerships.

Many councils stress that the GPC is a simpler power than those previously intended to help councils promote general wellbeing. The wellbeing powers in the Local Government Act 2000 required councils to demonstrate a link to the economic, environmental or social wellbeing of the area. The courts took a restrictive interpretation of this and ruled that it did not provide a basis for mutual and similar arrangements intended to reduce councils costs – such as the LAML case.

The GPC is much simpler than the earlier powers under s137 of the Local Government Act 1972, which covered activities ‘incidental to their functions’. This stated that ‘councils may incur expenditure which, in their opinion, is in the interests of and will bring direct benefit to, their area or any part of it or all or some of its inhabitants’. Moreover, such expenditure ‘had to be commensurate to the benefit arising’. For town and parish councils, there was a maximum amount for such spending which does not apply to the GPC⁵.

⁵ Set by DCLG at £6.80 per registered elector for 2012/13 in accordance with the provisions of the Local Government Act 1972

Further innovative and other uses of the GPC

The GPC has the potential to counteract bureaucratic inertia and what can be the instinctive caution of local government in some cases, but it needs an entrepreneurial mindset to be given full effect. Some members see it as a tool to challenge officers' caution – this puts a responsibility on political leadership to make sure that councils take advantage of the GPC, alongside respect for the statutory officers' responsibilities to ensure sound, lawful decision making.

The Royal Borough of Windsor and Maidenhead has established a Challenge Prize, endorsed by its Big Society Panel in September 2012, to promote innovative solutions by members of the community to problems identified by local residents.

A total of £20,000 has been allocated to support the challenge prize process. One council had used the GPC as the basis for supporting a successful legal challenge to the proposed closure of the Leeds Children's Heart Surgery Unit, which is outside that authority's own area.



Stoke City – sustainable energy and regeneration

Stoke on Trent City Council is using the GPC to provide the legal basis for the development of a range of initiatives to take forward the green energy agenda through a council owned holding company and to promote regeneration.

It sees access to sustainable energy at predictable prices as a powerful factor in attracting and sustaining employment including the development of a new central business district. The GPC gives greater confidence to both the council and potential partners from the private sector and elsewhere when entering into long term agreements. The council has provided a loan facility to help The Princes' Regeneration Trust access other sources of finance to restore the Middleport Pottery as part of a regeneration project.

For more information and contact details please refer to the case study included in the Annex to this report available at: www.local.gov.uk/localism-act

In April 2013, Birmingham City Council adopted a Living Wage for Birmingham policy, which extended the living wage to contractors to the council in support of the wellbeing of citizens, productivity and the wider city economy. The report to the city council's Cabinet included reference to the GPC as an enabling power for such action, although in this instance the Public Services (Social Value) Act 2012 was also important as this addressed what would have been 'pre-commencement limitations' on the GPC arising from the exclusion of non-commercial matters under the Local Government Act 1988.

Breckland and South Holland – increasing scope to apply the GPC

Breckland has recently used it (in conjunction with other legislation such as the Local Government Act 2003) to provide the legal justification for a scheme to charge for the provision of new and replacement wheeled bins. Both councils see scope for further use of the power.

Breckland and South Holland District Councils have a shared management team and see increasing scope to apply the GPC. Breckland's policy to charge for the provision of new and replacement wheeled bins is intended to both help recover the costs of the service and to promote further re-cycling. They needed to design the scheme so that the council retained ownership of the bins to best manage the waste management stream whilst still securing users agreement to a discretionary service.

Both councils have participated in energy switching schemes. There will be increasing scope to apply the GPC as the councils develop radical transformation plans in response to the challenging financial environment and both will continue to foster the entrepreneurial approach from members and officers that this will require. For more information and contact details please refer to the case study included in the Annex to this report available at: www.local.gov.uk/localism-act

These examples from both Birmingham and Breckland illustrate the important observation from a number of councils that the GPC is not used in isolation – it is often used in conjunction with other powers to achieve wider policy objectives, including other provisions in the Localism Act 2011.

A number of councils referred to the GPC as the basis for making grants to voluntary and other organisations and other instances where it was used in place of the previous wellbeing powers.

Building on existing innovation

Local government has a track record of innovation, which pre-dates the introduction of the General Power of Competence. A significant proportion of councils interviewed, which had implemented new and innovative ways of doing things, cited this as the reason for not having used the GPC in their decision making processes. Essex County Council, for example, provided a local authority banking service and supported post offices and provided library services to another authority prior to the Localism Act.

Similarly, Woking Borough Council had used the wellbeing powers under the Local Government Act 2000 and earlier powers to establish the Thamesway Group of holding companies to take forward a range of green energy and sustainable and development projects on behalf of the borough.

Councils that had not used the GPC stressed the importance of the right mindset in being innovative – a willingness to 'think outside of the box'. Taking managed risks and an entrepreneurial approach are more important than the existence or otherwise of a particular power to do something. In other words, organisational culture is key. If you want to do something, the business case is in place and it aligns with the council's priorities and those of the community, you can usually find a legal power to do it.

Notwithstanding this, all councils interviewed welcomed the introduction of the GPC through the Localism Act 2011 and most envisaged they would use the power in future. Many described the GPC as a symbolic 'can do' power which confirms that councils can do just about anything they wish to do – provided it is not illegal and is the right thing to do for their communities. This had been factored into their thinking, without necessarily citing the GPC during decision making processes.

Richmond – how the GPC is encouraging further innovation

The London Borough of Richmond provides an example of a council which has undertaken a number of innovative, community focussed projects, encouraged by the GPC as a 'can do' power which gives implicit permission to fresh thinking.

The GPC has enabled a shift in focus from 'can we do this?' to concentrate on 'should we do this and how best to realise our objectives?' which is a much more creative environment. Richmond wants to further encourage civic pride and citizen engagement. It has introduced a scheme to offer Civic Pride grants to individuals in addition to constituted groups and is making Empty Shop Grants for short term, community use of empty shops to both boost creativity and entrepreneurial activity and enliven high streets.

For more information and contact details please refer to the case study included in the Annex to this report available at: www.local.gov.uk/localism-act

Existing legislation such as the Local Government Act 2003 has provided sufficient powers for several councils to have established local authority trading companies to provide adult social services in accordance with the personalisation agenda. Section 75 of the Health Act 2006 has provided sufficient flexibility to share funding and enable joint working between health and social care, where the will to work in close partnership exists, for example the establishment of Care Trust Plus in North East Lincolnshire.

A number of councils referred to the need to search for any pre-commencement limitations on the GPC when seeking to establish the legal basis for a proposed action. In such circumstances, when a more specific power exists, some councils preferred to cite this as a stronger basis for action. In one instance, where a transfer of land and planning powers from the Homes and Communities Agency (HCA) was sought by Milton Keynes Council, amendments to primary legislation were required and the GPC was clearly insufficient in this case.

Councils and key partner organisations are developing new delivery models with support from the Government, such as using Social Impact Bonds and mutual organisations which are not wholly reliant on the GPC.

It can be seen that some councils have already done things that others are now doing with the support of the GPC. If the power extends the willingness to innovate and the confidence to do so to more councils, and helps embed a culture of change across the sector, that will be no small thing.

Scope for further use of the GPC

Notwithstanding the constraints identified above and the financial challenges which councils will continue to face, almost all councils contacted, whether using the General Power already or not, envisage using the power in future.

Beyond continuing current applications and use in place of the previous wellbeing powers, councils do see potential for new uses of the power. For example, to extend trading beyond an authority's own area and the use of social enterprise models – although this will require the constraints around permitted company models (and possibly state aid) to be thought through. They may well focus on gaps in the existing market or other aspects of market failure.

It may assist in further developing the cooperative council models under consideration in some areas, and in councils' efforts to reinvigorate economic growth. It could support efforts to engage citizens in taking on more civic and community responsibilities, with some limited assistance from councils.

Some councils are considering 'Innovation Plans' and transformation strategies to help meet the challenges of protecting key services and outcomes in times of increasing financial pressures. The GPC is seen as an important 'tool in the box' to help such innovation, although by its very nature the details of such use cannot be predicted at this time. However, it is likely to become more widely used as more councils recognise its potential.

Constraints on the wider use of the GPC

While welcoming the GPC, a number of councils noted some constraints which had or could present barriers to its wider use. The main issues identified were:








- **The need to use company structures as specified in the Localism Act 2011**
– when using the GPC as the basis for trading activities a limited number of company structures are permitted, namely companies limited by shares or guarantee or industrial or provident societies. Several councils and a Fire and Rescue Service have wished to extend their services using more modern community interest company structures – for example to achieve more community engagement or to develop governance structures further removed from the political arena for commercial reasons. They believe such structures would not meet the requirements of the Localism Act to exercise the GPC in this way, and hence have used different powers in order to proceed. A number of commentators argue that in the area of trading and commercial activities, the GPC has not moved much beyond what was already possible under the Local Government Act 2003. The National Association of Local Councils – NALC – does not agree that the Localism Act 2011 gives effect to DCLG's intention to extend the power to trade to town and parish councils. NALC recommends that town and parish councils wishing to pursue a trading activity seek independent legal advice.

- **Charging only permitted for a discretionary service and on a cost recovery basis** – the GPC can only be used as basis for charging for a discretionary service – ie not one which it is required to provide by statute or otherwise. The potential service user must be able to decline the service and so avoid the charge. The GPC is subject to a duty that, taking one year with another, charges do not exceed the costs of provision⁶. In other words, any charges should be set at a level which does not generate a profit or surplus, although it is recognised that more than one financial year may need to be taken into account.
- **Limitations on the use of state aid** – in terms of both undertaking trading activities and in supporting local business and employment in difficult economic times. Councils have realistic expectations that, due to wider policy considerations and EU rules, these limitations will remain in place. But it does mean that care is required to keep within these limits, which may have more bearing in regenerating deprived communities where more support is required to ‘de-risk’ development projects.
- **The need to check for pre- and post-commencement limitations** – this takes time and often leads to the identification of a more specific power which is used in place of the GPC anyway. Some councils suggested that there is a case to rationalise the large body of legislation affecting local government. Where common barriers are identified it may be appropriate for the Secretary of State to use his powers under s5 of the Localism Act 2011 to amend, repeal, revoke or disapply such provisions.
- **Does not enable the creation of byelaws or enforcement activity** – a number of people, including some elected members, had anticipated that the General Power would allow this. As enacted, the GPC does not permit this as it simply extends councils powers to do what individuals normally can do. Many councils have provided briefing sessions on the implications of the Localism Act 2011 for leading members and senior officers which have quickly clarified this misunderstanding. It is generally felt that those who need to know are familiar with the extent of the General Power and can advise elected members and other officers on how best to achieve the council’s agreed objectives.
- **The GPC has been introduced at a time of severe financial constraints** – councils’ attention had been focused on the need to manage major budget reductions and so where the GPC has been used it has often been to minimise the impact of spending cuts or support improved efficiency. More creative use of the GPC – to widen councils’ responsibilities – may been limited at this time because of local priorities, although developing economic resilience and growth emerges as a clear theme in its early use. Some councils found that other provisions of the Localism Act have attracted greater interest among elected members, officers and the wider public, such as the Community Right to Challenge and the Community Right to Bid for assets of community value and the associated asset register.

⁶ Sec 3 (3) of the Localism Act 2011

Making good use of the GPC – top tips

The experience of councils making use of the General Power suggests the following guidelines for its effective use:

-  Be clear about what you want to achieve – and that this is aligned with the priorities of the council and local community. The GPC is not an end in itself, merely a means to an end.
-  Develop and support an environment which promotes an innovative and entrepreneurial approach.
-  Recognise the potential of the GPC as a lever to tackle excessive caution or fixed ways of doing things.
-  Check for any pre-and post-commencement limitations (and consider modifying the approach where necessary).
-  Where used as a basis for charging, ensure that charges are not being made for a statutory service, that the recipient agrees to receive the discretionary service and charges are on a cost recovery basis.
-  Consider implications of different company structures and state aid provisions as appropriate.
-  Parish Councils should ensure they meet the conditions for eligibility as set out in the Statutory Instrument, Parish councils (General Power of Competence) Prescribed Order 2012.





Local Government Association

Local Government House
Smith Square
London SW1P 3HZ

Telephone 020 7664 3000

Fax 020 7664 3030

Email info@local.gov.uk

www.local.gov.uk

© Local Government Association, July 2013

For a copy in Braille, larger print or audio,
please contact us on 020 7664 3000.
We consider requests on an individual basis.