

NEWTON IN THE ISLE

PARISH COUNCIL

Clerk: Dave Gibbs, 358 High Road, Newton in the Isle, PE13 5HS
Tel: 01945 870083 • Email: parishclerk@newtonintheisle.org.uk

To Members of the Public and Press

You are invited to attend a meeting of the Newton-in-the-Isle Parish Council to be held in Newton Village Hall on **Tuesday 12 November 2024 at 7.30pm.**

Dave Gibbs

Clerk

7 November 2024

AGENDA

All members are reminded that they will need to declare any personal or prejudicial interest and reason before an item discussed at this meeting under the Model Code of Conduct Order 2001 No 3576

045/24 Apologies

To receive and consider apologies from those members not present

046/24 Chairman's Announcements

To receive such announcements as the Chairman may wish to make to the Council

047/24 Public Forum

To receive representations from members of the public regarding issues pertinent to the Council

048/24 Minutes of the Previous Meetings

- a) To approve and sign the minutes of the Parish Council meeting held on Tuesday 10 September*
- b) To approve and sign the minutes of the Planning Committee meeting held on Wednesday 18 September*
- c) To approve and sign the minutes of the Planning Committee meeting held on Tuesday 22 October*

049/24 County and District Councillors Reports

To receive reports from Cllrs S King (CCC), B Barber, S Clark and C Seaton (FDC)

050/24 Police Matters

To receive a report from the Clerk on recent meetings with the Police and issues relating to crime and anti-social behaviour

051/24 Clerk's Report

To receive a report on meetings attended and correspondence received

052/24 Outstanding Matters

To receive updates on matters raised previously and to resolve accordingly

- a) *Accumulation of scrap in Colville Road*
- b) *Dangerous path surface at St James Close*
- c) *Vacant properties*
- d) *Allocation of vacant allotment*
- e) *Village bus service*
- f) *Former Colville School site*
- g) *Residents' survey*
- h) *St James' Church future plans*
- i) *Magnifica House (formerly Chartwell School)*

053/24 Members' and Residents' Issues

To receive reports from the Clerk and Members on matters raised by local residents, and to report on matters raised previously

054/24 Highways

- a) *To receive an update from the Clerk on highway defects and maintenance issues*
- b) *To receive and consider a data report from the MVAS speed monitoring sign in High Road*
- c) *To receive an update from the Clerk on progress towards establishing a Community Speed Watch*
- d) *To receive an update from the Clerk on the application for a 20mph zone*
- e) *To consider potential projects for submission to the 2025/26 Local Highway Improvements scheme*
- f) *To consider potential projects for the County Council's Capitally Funded Highway Maintenance Schemes for 2025/26*

055/24 Queen Elizabeth II Playing Field

To receive an update from the Clerk regarding issues relating to the Playing Field and to resolve accordingly

056/24 Allotments

To consider the future tenancy of an allotment in Roman Bank and to resolve accordingly

057/24 Fenland District Council Infrastructure Delivery Plan

To consider and agree a methodology for collating the information required to submit an informed response to the issues raised

058/24 Parish Council Duty Under Section 40 of NERC 2006

To consider the implications of the Parish Council's duty under Section 40 of the Natural Environment and Rural Communities Act 2006 and to resolve accordingly

059/24 Finance

To consider and resolve on the following matters:

- a) To receive an updated financial statement for the period to the end of October
- b) To note the 2024/25 Local Government pay settlement
- c) To note the following sums received since the last meeting:

Barclays Bank (interest).....	£ 109.73
DAC Beachcroft (insurance excess recovery).....	£ 250.00
Fenland District Council (precept)	<u>£ 6,500.00</u>
	£ 6,859.73

- d) To approve the following payments:

100796 D A Gibbs (salary October and November plus backpay).....	£ 1,078.64
100797 D Freeman (handyman).....	£ 219.00
100798 Newton Village Hall (hall hire)	£ 20.00
100799 Bartlomiej Bil (shelter cleaning)	<u>£ 70.00</u>
	£ 1,387.64

- e) To consider requests for financial support from the Village Hall Management Committee for the newsletter and insurance valuation

060/24 Policies and Procedures

To review the following policies and procedures and amend or re-adopt as required:

- a) Complaints Procedure
- b) Grievance Policy
- c) Disciplinary Policy

061/24 Date of Next Meeting

To confirm the date and time of the next meeting of the Council

Tuesday 14 January 2025 at 7.30pm

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Minutes of a Meeting of Newton-in-the-Isle Parish Council held in the Village Hall on Tuesday 10th September 2024

Present - Cllr R Bradley (Chairman), Cllr A Clark, Cllr S Clark, Cllr K Humphris, Cllr R Moore, Cllr B Simpson, Cllr K Simpson, Cllr B Barber (FDC), D Gibbs (Clerk), 5 parishioners

032/24 Apologies for Absence

Cllr S King (CCC), Cllr C Seaton (FDC).

033/24 Chairman's Announcements

The Chairman paid tribute to former councillor David Smith who passed away recently. Members observed a minute's silence in his memory.

034/24 Public Forum

A resident asked whether the Council will mark the forthcoming retirement of the village post lady. The Chairman agreed to consider this at the appropriate time.

A resident expressed concerns regarding the condition of the Playing Field and asked what plans the Council has. The Chairman reported that all members of the Council had visited last week and a report on their findings will be discussed at this meeting.

035/24 Minutes of Previous Meetings

RESOLVED - that the minutes of the meeting held on Tuesday 9th July be agreed and signed as a true and accurate record.

036/24 County and District Councillors Reports

County - In Cllr King's absence, his report was discussed. Applications under the 20mph scheme will now be presented to the Highways and Transport Committee at the October meeting. Overgrown verges on the A1101 will be cut to maintain visibility at junctions. The mossy pavement in Westfield Road has been added to the list for slurry sealing. A confusing message has been received from Highways regarding the ongoing issue with the damaged sign at the junction of Chapel Lane and Rectory Road. No further progress has been made with the surface water issues outside 158 High Road. The Active Travel Hierarchy consultation ends on 16 September. Community Gritting Scheme registrations are required by the end of October. The deadline for the Cambridgeshire Community Foundation's winter grants programme is 1 November.

District - Cllr Barber reported that further appointments have been made to the District Council's Planning department including a new Head of Planning. A Golden Age Fair will take place in Tydd St Giles Community Centre on 13 September.

037/24 Police Matters

The Clerk reported that no meetings had taken place with the Neighbourhood Sergeant. Two young girls were reported for riding an unregistered moped through the village. Police are investigating. Several nitrous oxide canisters were found in the Village Hall car park but it was not possible to identify those responsible from the CCTV system.

038/24 Clerk's Report

The Clerk reported on meetings attended including a meeting with neighbouring parishes regarding the future of the bus service, a walkabout with the new Local Highways Officer and the public meeting regarding the future use of St James' Church.

Correspondence received included the County Council's Active Travel Hierarchy consultation, the District Council's Draft Homelessness and Rough Sleeping strategy, the Combined Authority's Bus Franchising consultation, an invitation to the Cambridgeshire & Peterborough Association of Local Councils Annual Conference, Cambridgeshire Constabulary's Police and Crime Plan survey, Cambridge Council for Voluntary Service State of the Sector report and proposed merger with Hunts Forum, Cambridgeshire ACRE Annual General Meeting invitation, Anglian Water's Fens Reservoir second consultation and the North Level District Internal Drainage Board's Tydd Pumping Station Open Day.

039/24 Outstanding Matters

- a) Abandoned vehicle in Colville Road - the vehicle has been removed.
- b) Accumulation of scrap in Colville Road - a significant quantity of rubbish has been removed from the property and work is still in progress.
- c) Dangerous path surface at St James Close - Clarion Housing to be asked to send someone to meet with members of the Council to discuss this and other issues.
- d) Vacant properties - members continue to monitor several vacant properties around the village.
- e) Allocation of vacant allotment - the rubble on the site has prevented cultivation. An appropriate means of removal and disposal is needed.
- f) Byway winter closures - Members considered the challenges in delivering this project and the need to prioritise funding on the Playing Field and resolved not to continue with this project at the current time. The Clerk will notify the County Rights of Way Officer.
- g) Village bus service - a community consultation is needed to provide data to support future discussions regarding the bus service. Members resolved to use a combination of digital and print media to ascertain who uses the bus service, the purpose of their journeys, and the barriers that prevent wider use.
- h) Former Colville School site - no update.
- i) Residents' survey - a meeting of the working group will take place shortly. Tuesday 8 October was suggested. The Clerk will check the availability of the Village Hall and confirm.

- j) Lorry collision with street light - the excess of £250 has been recovered from the vehicle's insurer.
- k) Former Woadman's Arms site - Cllr B Simpson advised members that she had spoken to the developer and they will not be retaining the covenanted access on the site.
- l) St James' Church future plans - a public meeting of interested individuals has taken place and a further meeting will be arranged for those who have volunteered to form an action group to oversee the change of use of the building.
- m) Magnifica House (formerly Chartwell School) - Members have been invited to visit the facility to gain a better understanding of how it operates. The Clerk will make the necessary arrangements.

040/24 Members' and Residents' Issues

- a) Overgrown hedges, Colville Road - the Clerk reported that several residents had raised concerns about the condition of two hedges, one of which belongs to Longhurst Group and the other to Clarion Housing Group. This is a recurring problem as neither hedge appears to be included in a regular maintenance contract. Cllr S Clark offered to speak to Clarion and the Clerk will contact Longhurst.
- b) Trees at The Limes, Sutton Road - Members also noted the continued deterioration of the dead trees overhanging the A1101 and the recent fall of another branch into the road. The Clerk explained that repeated attempts by Cambridgeshire Highways to contact the landowner had been unsuccessful.

041/24 Highways

The Clerk reported that regular maintenance work is being carried out. Junction lines need to be surveyed and reported. The 40mph signs at the eastern end of the High Road were vandalised with spray paint, but fortunately it was possible to clean them. The Clerk has received an email from a resident questioning the lack of an in-depth discussion of the MVAS speed data presented to July's meeting. Members noted that the data was in line with expectations with the majority of drivers complying with the limit and a small minority driving at excessive speeds. They resolved to invite residents to join a Community Speed Watch group to seek to address the problem and asked the Clerk to write an article for the forthcoming newsletter.

042/24 Queen Elizabeth II Playing Field

Members considered a detailed report prepared by the Clerk regarding issues relating to the management and maintenance of the Playing Field. They resolved as follows:

- i) Members noted that UK Power Networks had visited the Playing Field to mark the line of the underground high-voltage cable and the Clerk has measured a series of points along the line to provide an accurate record.
- ii) The dyke behind the properties in Goodens Lane has not been maintained adequately, the levels are uneven, it cannot be surveyed as it is overgrown and inaccessible, and there is evidence of fly-tipping from adjoining properties.

The outfall is inaccessible and difficult to maintain. The dyke could be scraped to re-establish the levels, or piped, or a new pipe installed nearby. Members asked the Clerk to arrange for the grounds maintenance contractor to clear the dyke and to seek quotes for the installation of a new permeable pipe drain to the east of the underground cable.

- iii) Members considered four quotes from suitably-qualified contractors for the removal of the sycamore tree behind 3 Goodens Lane. They resolved to appoint Johnson's and Rose to undertake the work. The Clerk will make the necessary arrangements.
- iv) There are a number of trees along the boundary between the Churchyard and the Playing Field with large low-hanging branches that present an obstruction and potential hazard. Cllr Bradley offered to remove all of these branches.
- v) There is a significant quantity of dead wood, fallen branches, and leftover material from previous tree maintenance work in the Playing Field. Members agreed to organise a community bonfire event on the evening of Tuesday 5 November with a barbeque and guy competition, but no fireworks. Those attending will be invited to suggest future improvements to the Playing Field. Members asked the Clerk to advertise this event in the newsletter.
- vi) There is also a quantity of bricks, concrete and metal in the Playing Field that needs to be removed. Members discussed the possibility of bringing a Community Payback team to undertake this, but other tasks would also be required to justify the visit.
- vii) The soft play surface under the climbing frame and around the carousel needs to be replaced. A quote has been obtained for this work from a local contractor. As some of the damage is caused by moles under the surface, Members questioned whether it would be possible to install a concrete slab under the wetpour surface to prevent future mole damage. The Clerk was asked to discuss this with the contractor. Members asked the Clerk to obtain additional quotes for this work.
- viii) The wooden legs of the climbing frame are starting to rot below ground level. A new soft play surface will last longer than the climbing frame. The contractor has developed a solution involving the removal of the underground part of the legs and replacement with a steel foot. Members asked the Clerk to identify other contractors able to provide the same solution and to obtain additional quotes for this work.
- ix) The latest inspection of the play equipment identified rot in the base of the wooden legs of the aerial ropeway. Members asked the Clerk to include this item when seeking quotes for steel feet for the climbing frame.
- x) The latest inspection of the play equipment identified a potential hazard if users fall from the platform of the aerial ropeway. The design of the ropeway makes the installation of a platform barrier complicated, so a contractor has suggested that a simpler solution would be to build up the ground level around the platform to reduce the fall height. The work can be carried out by the Handyman but should be left until planned work on the wooden legs has been completed.

- xi) The bearing on the carousel is not turning freely and the cause of this is unclear. Cllr Bradley offered to dismantle the deck of the carousel to expose the bearing and identify the reasons for the ongoing issues.
- xii) The deterioration of the teen shelter has been highlighted in the annual inspections for several years. It requires cleaning but large areas of paint are also peeling away. The Clerk has found a contractor who can pressure wash the shelter to remove the dirt and loose paint at a cost of £70. Members agreed to go ahead with this and asked the Clerk to make the necessary arrangements. The Handyman can treat the exposed metal and paint as necessary.
- xiii) Many of the signs in the Playing Field are in poor condition and some are missing. There are important safety and statutory signs not present. Members asked the Clerk to obtain the necessary signs and work with the Handyman to install them.
- xiv) Members reviewed their policy on dogs in the Playing Field. They resolved to relax the previous dogs on leads at all times rules in favour of a new rule requiring dogs to be on leads when children are playing. No dogs are allowed in the fenced play area. This will be reflected in the new signage.
- xv) Members considered the future management and maintenance of the wildflower area. They resolved to retain the wildflowers but to cut periodically if invasive weeds become established.
- xvi) The Playing Field has been managed for wildlife for a number of years but the unfortunate consequence of this approach is the number of moles now present. Having considered the damage done by moles around the play equipment, Members resolved to eradicate the moles and asked the Clerk to seek quotes from local contractors for an initial removal programme and annual visits.
- xvii) The Clerk reported that there appears to be no contract with the grounds maintenance contractor and no agreed specification for the work. Members asked the Clerk to draw up a full contract specification for regular and seasonal elements and to conduct a tendering exercise with suitably-qualified contractors.

043/24 Finance

- a) The Clerk presented an updated financial statement as at the end of August, showing income of £9,953.68 and expenditure of £3,804.50, resulting in a surplus of £6,149.18 and total funds held of £38,389.17.
- b) Members noted the following sum received:
 - Fenland District Council (concurrent functions grant) £ 1,968.00*
- c) Members noted the following sum paid by direct debit:
 - North Level District Internal Drainage Board (drainage rates)..... £ 54.13*
- d) Members approved the following payments:
 - 100792 D A Gibbs (salary August and September) £ 947.60*

100793	<i>D Freeman (handyman).....</i>	<i>£ 450.65</i>
100794	<i>Newton Village Hall (hall hire)</i>	<i>£ 60.00</i>
100795	<i>Fenland District Council (street light maintenance).....</i>	<i><u>£ 6,632.46</u></i>
		<i>£8,090.71</i>

- e) The Clerk reported that he had identified a potential internal auditor. Although resident in Southend-on-Sea, she was willing to travel to Fenland for face-to-face audits as she has several councils in the area. Members resolved to appoint Helen Symmons as internal auditor for the 2024/25 financial year.
- f) Members discussed a request from the Village Hall Management Committee for a financial contribution towards the cost of the production of the newsletter. They noted that space in the newsletter is limited and the Council seeks to share more information with residents in the future. Several options were considered, including a separate page to be produced by the Council and distributed with the newsletter, or a new A3 format providing one page for the Council and additional space for the Village Hall. As the cost of an A3 format was not known, Members agreed to defer a decision until the next meeting. A single sheet newsletter will be printed by the Clerk and circulated with the September edition of the newsletter.

044/24 Date of Next Meeting

The next meeting of the Council will take place on Tuesday 12th November at 7.30pm.

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Minutes of a meeting of Newton-in-the-Isle Parish Council Planning Committee held in the Village Hall on Wednesday 18th September 2024

Present - Cllr R Bradley (Chairman), Cllr R Moore, Cllr B Simpson, Cllr K Simpson, D Gibbs (Clerk), 13 members of the public

001/24 Apologies for Absence

Cllr A Clark, Cllr S Clark, Cllr K Humphris

002/24 Election of Chairman and Vice Chairman

- a) Cllr Bradley was nominated as Chairman and duly elected.
- b) Cllr B Simpson was nominated as Vice Chairman and duly elected.

003/24 Planning Applications

F/YR23/0996/O - Erect up to 6 x dwellings (outline application with all matters reserved) - Land North of High Trees, Rectory Road, Newton-in-the-Isle (reconsultation)

The Clerk advised Members that the reconsultation was due to a new location plan, site layout plan and flood risk assessment.

Members listened to the concerns expressed by the residents. They resolved to reaffirm their support for the application.

004/24 Update on Previous Applications

F/YR23/0996/O - Erect up to 6 x dwellings (outline application with all matters reserved) - Land North of High Trees, Rectory Road - Pending

F/YR24/0167/F - Erect a 2-storey side extension a single-storey rear extension and front boundary fence 1.95m high (max) - Lodge Farm, Sutton Road - Granted

F/YR24/0249/F - Erect 6 x dwellings (2-storey 4-bed), and the formation of 2 x accesses and a pedestrian footpath - Land East of 156 High Road - Refused

F/YR24/0406/PNC04 - Change of use from agricultural building to 1 x dwelling (single-storey, 3-bed) (Class Q (a) and (b)) - Barn East of 486 High Road, Accessed from Franks Lane - Refused

F/YR24/0529/NONMAT - Non-material amendment: Removal of "agricultural" from the original description relating to planning permission F/YR10/0150/O (Erection of 1no detached agricultural dwelling) - 225 High Road - Approved

F/YR24/0538/RM - Reserved Matters application relating to detailed matters of appearance, landscaping, layout and scale pursuant to outline permission F/YR23/0315/O to erect up to

2x dwellings (2-storey 5-bed) involving demolition of existing buildings - Land East and West of Croft Grange, 307 High Road - Approved

F/YR24/0539/VOC - Removal of Condition 04 (Agricultural Occupancy) of planning permission F/YR10/0150/O (Erection of 1no detached dwelling) - 225 High Road - Granted

005/24 Other Planning Matters

None.

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Minutes of a meeting of Newton-in-the-Isle Parish Council Planning Committee held in the Village Hall on Tuesday 22nd October 2024

Present - Cllr B Simpson (in the Chair), Cllr K Humphris, Cllr R Moore, Cllr K Simpson, D Gibbs (Clerk), 9 members of the public

006/24 Apologies for Absence

Cllr R Bradley, Cllr A Clark, Cllr S Clark,

007/24 Planning Applications

F/YR24/0811/F - Erect 9 x dwellings (5 x 2-storey 4-bed and 4 x 2-storey 3-bed), and the formation of 2 x accesses and a pedestrian footpath - Land East of 156 High Road, Newton-in-the-Isle

Members considered the new application for this site. They noted the concerns raised by some residents regarding surface water drainage and capacity of the main sewer and highway issues.

Members resolved to support the application, subject to the above concerns being addressed by the appropriate statutory consultees. Cllr Humphris voted against the proposal.

008/24 Update on Previous Applications

F/YR23/0996/O - Erect up to 6 x dwellings (outline application with all matters reserved) - Land North of High Trees, Rectory Road - Pending

009/24 Other Planning Matters

None.

Agenda Item No.	051/24	NEWTON IN THE ISLE PARISH COUNCIL
Meeting Date	12 November 2024	
Report Title	Clerk's Report	

1. Purpose of Report

To report on meetings attended and correspondence received.

2. Key Issues

Meetings attended:

Cambridgeshire ACRE AGM - 9 October

Correspondence received:

Cambridgeshire County Council

Roadworks and events bulletin

Cambridgeshire Matters newsletter

Highways stakeholder survey

20mph scheme results

Highway weed spray second visit

Grass verge maintenance survey

Capitally funded highway maintenance schemes consultation

LHI 2025/26 launch

Fenland District Council

The Fenlander newsletter

Infrastructure delivery plan consultation

Customer service excellence award

Tougher penalties for fly-tipping and similar offences

Street light maintenance contract retendering result

Proposal to move FDC headquarters

Carol Service invitation

Christmas gift appeal for older people

Cambridgeshire & Peterborough Combined Authority - Bus franchising consultation

National Association of Local Councils - Newsletter, bulletin, events, legal updates and new website

Cambridgeshire & Peterborough Association of Local Councils - Training courses, bulletin, pay award

Cambridgeshire Police - Remembrance Sunday preparations

Cambridgeshire & Peterborough Integrated Care System - newsletter

Cambridge CVS - Annual General Meeting invitation

Cambridgeshire ACRE - Staying in Touch newsletter

Queen Elizabeth Hospital - Modernising our hospital newsletter

Green Energy Switch - Free appliance scheme

3. Recommendations

Members note the report.

Report Author	Dave Gibbs
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Agenda Item No.	054/24(b)	NEWTON IN THE ISLE PARISH COUNCIL
Meeting Date	12 November 2024	
Report Title	MVAS Speed Data	

1. Purpose of Report

To update members on the data from speed monitoring in the village.

2. Key Issues

The following raw data has been taken from the MVAS speed monitoring device:

High Road East with a speed limit of 40mph

Monitoring period 28-08-2024 to 11-09-2024 (13 days)

Number of vehicles - 15,973

Minimum speed - 5mph

Maximum speed - 76mph

Average speed - 34.99mph

85th percentile speed - 41mph

Number over speed limit - 16.85% - 2,691 vehicles

Number over prosecutable limit (10%+2 above limit) - 4.72% - 754 vehicles

Number over disqualification limit (30mph above limit) - 0.03% - 4 vehicles

Highest speeds recorded:

Saturday 31 August	15:09	Departing	76mph
Saturday 07 September	04:37	Departing	75mph
Saturday 07 September	13:17	Arriving	75mph
Tuesday 03 September	15:01	Departing	71mph
Wednesday 28 August	22:43	Departing	69mph
Saturday 31 August	02:49	Departing	69mph
Monday 02 September	15:48	Arriving	67mph
Friday 30 August	05:48	Departing	64mph
Tuesday 10 September	15:00	Departing	64mph
Tuesday 03 September	18:00	Arriving	63mph
Saturday 31 August	18:30	Arriving	62mph
Sunday 08 September	13:20	Departing	62mph
Wednesday 04 September	04:02	Departing	61mph
Thursday 05 September	04:50	Arriving	61mph
Saturday 07 September	04:30	Departing	61mph
Tuesday 10 September	05:37	Departing	61mph
Thursday 29 August	22:49	Departing	60mph
Thursday 05 September	19:55	Arriving	60mph
Sunday 01 September	18:39	Arriving	59mph
Monday 02 September	16:53	Arriving	59mph
Monday 02 September	20:50	Departing	59mph
Monday 09 September	06:30	Departing	59mph
Friday 30 August	17:51	Arriving	58mph
Saturday 31 August	16:49	Arriving	58mph
Sunday 01 September	17:54	Departing	58mph

Continued overleaf...

Report Author	Dave Gibbs
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Sunday 01 September	21:58	Arriving	58mph
Monday 02 September	16:00	Arriving	58mph
Friday 06 September	08:02	Arriving	58mph
Friday 06 September	15:30	Departing	58mph
Sunday 08 September	23:22	Departing	58mph
Wednesday 28 August	17:37	Departing	57mph
Friday 30 August	06:44	Departing	57mph
Tuesday 03 September	16:19	Arriving	57mph
Wednesday 04 September	07:14	Departing	57mph
Wednesday 04 September	07:34	Departing	57mph
Wednesday 04 September	14:37	Departing	57mph
Friday 06 September	13:33	Arriving	57mph
Sunday 08 September	12:23	Departing	57mph
Monday 09 September	02:45	Departing	57mph
Monday 09 September	17:16	Arriving	57mph
Tuesday 10 September	19:59	Arriving	57mph
Friday 30 August	16:13	Arriving	56mph
Friday 30 August	21:01	Departing	56mph
Tuesday 03 September	19:09	Arriving	56mph
Saturday 07 September	06:10	Departing	56mph
Sunday 08 September	12:01	Departing	56mph
Thursday 29 August	06:04	Departing	55mph
Thursday 29 August	16:12	Departing	55mph
Thursday 29 August	16:21	Arriving	55mph
Thursday 29 August	23:07	Arriving	55mph
Friday 30 August	09:26	Departing	55mph
Friday 30 August	10:38	Departing	55mph
Friday 30 August	16:08	Departing	55mph
Friday 30 August	18:35	Arriving	55mph
Saturday 31 August	16:31	Departing	55mph
Sunday 01 September	16:22	Departing	55mph
Monday 02 September	06:17	Arriving	55mph
Tuesday 03 September	11:10	Arriving	55mph
Tuesday 03 September	22:18	Departing	55mph
Wednesday 04 September	06:17	Departing	55mph
Thursday 05 September	16:28	Arriving	55mph
Saturday 07 September	10:52	Departing	55mph
Saturday 07 September	11:06	Departing	55mph
Sunday 08 September	13:10	Departing	55mph
Monday 09 September	13:30	Departing	55mph
Tuesday 10 September	03:54	Departing	55mph
Tuesday 10 September	04:13	Arriving	55mph
Tuesday 10 September	11:16	Arriving	55mph
Wednesday 11 September	04:39	Departing	55mph
Wednesday 28 August	09:34	Arriving	54mph
Wednesday 28 August	15:22	Arriving	54mph
Wednesday 28 August	17:42	Departing	54mph
Thursday 29 August	03:44	Departing	54mph

High Road East with a speed limit of 40mph

Monitoring period 18-10-2024 to 08-11-2024 (21 days)

Number of vehicles - 24,700

Minimum speed - 5mph

Maximum speed - 77mph

Average speed - 35.77mph

85th percentile speed - 42mph

Number over speed limit - 19.97% - 4,932 vehicles

Number over prosecutable limit (10%+2 above limit) - 5.91% - 1,459 vehicles

Number over disqualification limit (30mph above limit) - 0.03% - 8 vehicles

Highest speeds recorded:

Wednesday 23 October	12:11	Arriving	77mph
Friday 18 October	16:57	Departing	75mph
Saturday 19 October	04:37	Departing	75mph
Saturday 02 November	15:29	Arriving	75mph
Wednesday 23 October	16:11	Departing	74mph
Sunday 20 October	20:46	Arriving	70mph
Tuesday 22 October	17:12	Arriving	70mph
Monday 04 November	19:06	Arriving	70mph
Monday 21 October	18:14	Departing	69mph
Saturday 26 October	12:01	Arriving	69mph
Friday 08 November	06:12	Arriving	69mph
Monday 21 October	19:15	Arriving	68mph
Wednesday 23 October	17:03	Departing	68mph
Saturday 02 November	14:10	Departing	68mph
Saturday 02 November	15:12	Arriving	68mph
Sunday 20 October	20:32	Departing	67mph
Wednesday 23 October	15:14	Arriving	67mph
Thursday 24 October	13:09	Arriving	67mph
Thursday 24 October	14:12	Arriving	67mph
Sunday 27 October	19:48	Arriving	67mph
Friday 01 November	17:03	Arriving	67mph
Wednesday 06 November	19:39	Departing	67mph
Monday 21 October	19:31	Arriving	66mph
Friday 25 October	19:32	Departing	66mph
Friday 01 November	17:56	Arriving	66mph
Saturday 19 October	20:33	Arriving	65mph
Monday 21 October	19:29	Arriving	65mph
Wednesday 23 October	06:33	Departing	65mph
Tuesday 29 October	19:30	Arriving	65mph
Tuesday 05 November	05:19	Departing	65mph
Sunday 20 October	11:24	Departing	64mph
Friday 01 November	13:15	Arriving	64mph
Friday 18 October	15:38	Arriving	63mph
Friday 18 October	21:05	Departing	63mph
Saturday 19 October	17:13	Arriving	63mph
Tuesday 22 October	04:04	Departing	63mph
Tuesday 22 October	10:52	Departing	63mph
Monday 28 October	07:04	Arriving	63mph

Friday 01 November	13:10	Arriving	63mph
Saturday 02 November	18:27	Arriving	63mph
Saturday 02 November	20:52	Arriving	63mph
Tuesday 05 November	16:37	Arriving	63mph
Friday 08 November	03:45	Departing	63mph
Sunday 20 October	13:43	Departing	62mph
Tuesday 22 October	03:15	Departing	62mph
Saturday 26 October	06:42	Departing	62mph
Wednesday 30 October	16:44	Departing	62mph
Wednesday 06 November	09:11	Departing	62mph
Sunday 20 October	16:00	Departing	61mph
Sunday 20 October	17:53	Arriving	61mph
Sunday 20 October	20:33	Arriving	61mph
Tuesday 22 October	03:55	Departing	61mph
Thursday 31 October	05:51	Arriving	61mph
Thursday 31 October	06:03	Arriving	61mph
Friday 01 November	15:08	Arriving	61mph
Monday 04 November	05:48	Departing	61mph
Friday 08 November	05:31	Departing	61mph
Friday 18 October	16:05	Arriving	60mph
Friday 18 October	18:38	Arriving	60mph
Friday 18 October	18:45	Departing	60mph
Saturday 19 October	16:55	Departing	60mph
Sunday 20 October	11:31	Arriving	60mph
Sunday 27 October	11:06	Departing	60mph
Wednesday 30 October	05:41	Departing	60mph
Saturday 02 November	15:05	Arriving	60mph
Saturday 02 November	16:46	Departing	60mph
Tuesday 05 November	04:44	Departing	60mph
Tuesday 05 November	07:15	Arriving	60mph
Wednesday 06 November	05:36	Arriving	60mph
Tuesday 22 October	04:28	Arriving	59mph
Friday 25 October	11:45	Departing	59mph
Saturday 26 October	11:30	Departing	59mph
Saturday 26 October	16:23	Arriving	59mph

3. Recommendations

Members note the report

Agenda Item No.	055/24	NEWTON IN THE ISLE PARISH COUNCIL
Meeting Date	12 November 2024	
Report Title	Playing Field Progress Report	

1. Purpose of Report

To provide an update on actions agreed at the September meeting relating to the Queen Elizabeth II Playing Field.

2. Progress on Actions

- i) The dyke behind the properties in Goodens Lane - Members asked the Clerk to arrange for the grounds maintenance contractor to clear the dyke and to seek quotes for the installation of a new permeable pipe drain to the east of the underground cable. The grounds maintenance contractor has been asked to provide another cut of the field, the copse and the dyke. The Clerk is preparing drawings for the new drainage pipe and contractors will be invited to provide quotes for the work.
- ii) Sycamore tree behind 3 Goodens Lane - the tree is due to be removed on 9 November.
- iii) Trees along the boundary between the Churchyard and the Playing Field - Cllr Bradley removed the overhanging branches.
- iv) Accumulation of dead wood, fallen branches, and leftover material from previous tree maintenance work - this was added to the bonfire on 5 November.
- v) Bricks, concrete and metal around the perimeter of the field - no action taken. Community Payback is an option.
- vi) The soft play surface under the climbing frame and around the carousel - contractor advised against concrete under the wetpour surface, as it leads to accumulation of water. Permeable surfaces are preferable. Additional quotes are being sought for the replacement of the wetpour surface.
- vii) Deterioration of wooden legs of the climbing frame and aerial ropeway - the Clerk is seeking other contractors able to install metal legs without removing the items.
- viii) Carousel bearing - no progress.
- ix) Teen shelter - the contractor has cleaned the shelter. The Handyman will remove loose paint, rub down and treat the rust patches with a view to applying a decorative top coat when weather permits.
- x) Signage - the Clerk is preparing a list of the signs required and will produce digital files for submission to suitably-equipped suppliers. The Handyman will install them.
- xi) Moles - three quotes have been obtained for the removal of the moles from the Playing Field. Members are asked to select their preferred contractor.

Report Author	Dave Gibbs
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- xii) Grass cutting contract - the Clerk will draw up a full contract specification for regular and seasonal elements and conduct a tendering exercise with suitably-qualified contractors.

3. Recommendations

- a) Members note the progress on the agreed actions.
- b) Members select a contractor to undertake the removal of the moles.

Duty under Section 40 of the Natural Environment and Rural Communities Act 2006

Complying with the biodiversity duty

Public authorities who operate in England must consider what they can do to conserve and enhance biodiversity in England. This is the strengthened 'biodiversity duty' that the Environment Act 2021 introduces.

This means that, as a public authority, you must:

1. Consider what you can do to conserve and enhance biodiversity.
2. Agree policies and specific objectives based on your consideration.
3. Act to deliver your policies and achieve your objectives.

Who must comply with the biodiversity duty

You must meet the biodiversity duty if you are a public authority, such as a:

- [government department or public body](#)
- local authority or local planning authority
- statutory undertaker – a business that has public authority duties for their land and delivers something of public importance

When to meet your biodiversity duty

You must complete your first consideration of what action to take for biodiversity by 1 January 2024. You must agree your policies and objectives as soon as possible after this.

You must reconsider the actions you can take within 5 years of when you complete your previous consideration.

You can decide to do this more often, for example, you could reconsider your actions quarterly, annually, or every 5 years.

Consider relevant strategies

You must check if these strategies will affect how your organisation complies with the biodiversity duty:

- [local nature recovery strategies](#)
- [species conservation strategies](#)
- [protected site strategies](#)

You must:

- understand how/if they are relevant to your organisation
- be aware of how these strategies affect land that you own or manage, or actions you could take to conserve and enhance biodiversity
- consider how you could contribute to the strategy, where appropriate

Local nature recovery strategies

These will be locally led strategies for nature and environmental improvement established by the Environment Act 2021. Each local nature recovery strategy will:

- agree priorities for nature's recovery
- map the most valuable existing areas for nature
- map specific proposals for creating or improving habitat for nature and wider environmental goals

There will be around 50 local nature recovery strategies covering the whole of England with no gaps or overlaps.

When the local nature recovery strategies are published, you will need to understand which ones are relevant to you and how you can contribute to them. These are likely to be the strategy, or strategies, for the areas in England you're active in.

Preparation of local nature recovery strategies is expected to begin across England from April 2023. You may want to consider how you could get involved in preparing and delivering them now. For example, you could contribute by acting on proposals to create or improve habitat on land you own or manage, or help someone else to do so. By including any positive actions you plan to take in the strategy, you can help improve their quality. It will also make it easier for you to show how you have fulfilled your duty.

Guidance on how local planning authorities should consider local nature recovery strategies will be published when available.

Species conservation strategies

Established by the Environment Act 2021, species conservation strategies aim to safeguard the future of the species that are at greatest risk. The strategies will find better ways to comply with existing legal obligations to protect species at risk and to improve their conservation status.

Protected site strategies

Established by the Environment Act 2021, protected site strategies take a new approach to protecting and restoring species and habitats in protected sites. Protected site strategies will provide ways to overcome offsite pressures such as nutrient pollution in the wider catchment.

How your biodiversity duty helps achieve biodiversity goals and targets

The action you take for biodiversity will contribute to the achievement of national goals and targets on biodiversity.

The [Environmental Improvement Plan \(EIP23\)](#), published in January 2023, sets out government plans for significantly improving the natural environment.

By 2030, the government has committed to:

- halt the decline in species abundance
- protect 30% of UK land

By 2042, the government has committed to:

- increase species abundance by at least 10% from 2030, surpassing 2022 levels
- restore or create at least 500,000 ha of a range of wildlife rich habitats
- reduce the risk of species extinction
- restore 75% of our one million hectares of terrestrial and freshwater protected sites to favourable condition, securing their wildlife value for the long term

Actions you could take

The policies and objectives you set, and the action you take to achieve them, will depend on your functions as a public authority.

Public authorities can give priority to areas of high biodiversity value, if appropriate.

If you already have a strategy that monitors your environmental performance, you can include your biodiversity actions as part of this.

Consider creating a new document if you do not have a suitable existing strategy. In it, you can record the actions you plan to take to meet your biodiversity objectives.

As a core component of natural capital, biodiversity supports ecosystem services that benefit people and the economy. When thinking about what actions you could take as part of your duty, you could consider the value of taking a [Natural Capital approach](#).

If your public authority is involved with development plans and decisions, consider your biodiversity duty when you're complying with requirements under:

- [strategic environmental assessment](#)
- [environmental impact assessment](#)
- [Habitats Regulations assessment](#)

Manage land to improve biodiversity

Consider how the land you manage could improve biodiversity. This includes green and blue spaces like:

- allotments
- cemeteries
- parks and sports fields
- amenity spaces and communal gardens
- roadside and railway verges
- field margins and hedgerows
- rights of way and access routes

- woodlands and nature reserves
- canals and rivers
- water-dependent habitats
- estuaries and coastal habitats

Small changes to how you manage these areas could create habitats for wildlife and ‘nature corridors’ that connect existing habitats. This allows species to move between habitats, maintain or increase populations and be more resilient to climate change.

There are other things you can do to improve habitats, including:

- using native and sustainably sourced trees when planting
- [creating dedicated spaces for wildlife](#)
- leaving dead wood safely in place in woodlands to provide additional habitat
- maintaining planted trees to give them the best chance of survival
- reducing the use of herbicides, pesticides, peat and water
- implementing measures to prevent the spread of invasive species and plant disease

These actions can save money while delivering benefits to biodiversity.

If you own or manage large areas of land, consider promoting and encouraging nature-based solutions, restoration of natural processes and landscape recovery.

Natural England has published the [Green Infrastructure Framework - Principles and Standards for England](#). This includes planning, design and process guides.

Make space for wildlife

You could create dedicated spaces to attract wildlife and enhance biodiversity. This is possible even if your public authority owns a single office building. It is important that these measures are appropriate to the location.

You could:

- build and install nest boxes for birds, bats and other animals
- add green walls or roofs to existing or new buildings
- plant native trees and shrubs
- plant wildflowers for pollinators

You can do more if you own or manage specific types of land. For example, if you own or manage:

- school grounds – create gardens, ponds, meadows or woodlands to improve biodiversity and aid education
- farmland – be aware of soil health, water use and waste management and encourage farmers to apply for agri-environment schemes and use pesticides appropriately.

[Check the list of priority habitats and species in the UK.](#)

Enhance protected sites

Sites that public authorities own or manage can be protected by other legislation. For example:

- [sites of special scientific interest](#)
- [special areas of conservation or special protection areas](#)
- [national nature reserves](#)
- local nature reserves and local sites
- Ramsar sites (wetlands of international importance)

You should already be helping to conserve and enhance biodiversity on this land. For example, public bodies already have a duty to take all reasonable steps to conserve and enhance sites of special scientific interest.

The [Environmental Improvement Plan](#) set the expectation that all public authorities should ensure they have management plans in place by the end of 2023 to support their sites to reach favourable status.

Authorities should produce those plans and work actively with Natural England and others to identify and implement the actions needed to improve site condition.

Actions in national parks or areas of outstanding natural beauty

Consider designated areas such as national parks or areas of outstanding natural beauty (AONB) as part of your biodiversity duty. This is important if you have functions in or close to a site designated as a national park or AONB. Improving nature in national parks or AONBs is an action that can enhance and conserve biodiversity. If appropriate to

your public body, you could comply with your biodiversity duty by:

- helping to develop and implement management plans for national parks or [AONBs](#)
- making improvements to nature in these areas

Improve how you manage buildings

Review how you manage buildings and the land around them. This could include considering:

- whether you should remove vegetation around your buildings and if you do, when to do it
- what chemicals you use on the premises
- when you carry out maintenance work, to minimise disturbance to wildlife
- whether you can reduce the use of energy and water to help reduce pollution and address the pressure it puts on wildlife

Educate, advise and raise awareness

You can help the public understand biodiversity and why it's important to conserve and enhance it. This can encourage land managers, businesses and the general public to take action to benefit biodiversity too.

For your policies, objectives and actions, you could:

- include the public in projects to improve biodiversity
- feature biodiversity in public or internal communications
- use libraries and museums to raise awareness of biodiversity
- put information boards in green spaces or offer guided walks
- include biodiversity considerations in advice for internal and external clients and service users
- educate your staff on your biodiversity actions and why they're important
- raise public awareness of how their gardens can support biodiversity, for example by avoiding artificial grass

Review internal policies and processes

All public authorities have internal policies and processes for staff and facilities that could affect biodiversity.

Changes to internal policies and processes that can affect biodiversity are another way you can meet your duty. Policies you could review include:

- transport – support sustainable travel to reduce carbon emissions and improve air quality
- waste – review waste management and recycling processes to reduce water pollution and air pollution from waste transport and landfill
- water – improve water efficiency to reduce the effect water abstraction can have on sensitive habitats and species
- procurement – buy sustainable materials and supplies to reduce the demand on natural resources
- light – make sure the design of artificial lighting minimises effects on nature

Prepare for biodiversity net gain

Biodiversity net gain ([BNG](#)) is an approach to development or land management that aims to leave the natural environment in a measurably better state than it was beforehand. If your public authority does not have a biodiversity net gain policy in the local plan, you could consider preparing one.

Future development projects (apart from exempt developments) will need to achieve a 10% biodiversity net gain. This is expected to be required from:

- November 2023 for Town and Country Planning Act 1990 ([TCPA](#)) projects not falling under the small sites definition [\[footnote 1\]](#)
- April 2024 for [TCPA](#) small sites
- the end of 2025 for Planning Act 2008 (Nationally Significant Infrastructure Projects)

Local planning authorities will need to report what is done for biodiversity net gain on and off development sites.

Local planning authorities should consider areas that are appropriate for biodiversity net gain. Consider how existing planning advice and strategies can protect and enhance biodiversity.

The developer is responsible for selecting the competent person for completing the small sites metric ([SSM](#)). The competent person does not need to be an ecologist for the [SSM](#). The local planning authority does not need to verify the competent person.

Find out about [biodiversity net gain](#) and how it affects you.

Get help with your actions

You can get help from experts when considering what actions you can take. For example, you could:

- commission a survey or audit to help assess your property and its potential to improve biodiversity
- consult your local nature recovery strategy to find out what actions would benefit your area – preparation of these will begin in 2023
- check existing data about wildlife and habitats in the area
- speak to Natural England, Environment Agency, Forestry Commission, local wildlife trusts or consultant ecologists

You can get existing local data from [Local Environmental Record Centres](#). If you commission research, you can share that data with them. To help you understand habitats and species in your area, you can use the national [Magic Map](#).

Getting expert advice can help you understand how you can make a difference for biodiversity and avoid unintended outcomes.

You may need to get expert [environmental advice on planning before preparing plans or considering development proposals](#).

Environmental assessment regulations require monitoring of the effects of development plans and projects. You could use the results of this monitoring as a source of environmental data.

Reporting your biodiversity policies and actions

Some public authorities need to [publish a biodiversity report](#).

Local authorities (excluding parish councils) and local planning authorities must write and publish a biodiversity report. Other public authorities must fulfil their duty, but do not need to publish a report.

For local authorities and local planning authorities, the end date of your first reporting period should be no later than 1 January 2026.

After this, the end date of each reporting period must be within 5 years of the end date of the previous reporting period.

The report is a chance to communicate how your organisation is helping to improve the environment and show the positive change you're making.

Defra intends to include references to your biodiversity reports in the 5-yearly reviews of the Environmental Improvement Plan.

Defra's [reporting your biodiversity duty actions guidance](#) gives information about when you must publish your report and what you need to include.

Your biodiversity reports will:

- help everyone understand how we are collectively meeting shared goals to conserve and enhance biodiversity
- allow you to showcase the action you're taking to improve biodiversity
- show other authorities and the general public what they can do for nature recovery and share good practice

1. For [BNG](#) exemptions, 'small sites' has 2 definitions.

Residential small sites will have either:

- 1 to 9 dwellings on sites of less than one hectare
- an unknown number of dwellings on sites of less than 0.5 hectares

Non-residential small sites will have either:

- less than 1,000 square metres of floor space
- a site area of less than one hectare

Newton-in-the-Isle Parish Council

Receipts & Payments Summary as at 31.10.24

Income	Year to Date	Budget	%
FDC Precept	£ 13,000.00	£ 13,000.00	100.00
FDC Concurrent Functions Grant	£ 1,968.00	£ 1,968.00	100.00
Allotment Rents	£ 100.00	£ 573.44	17.44
Village Hall	£ -	£ 1.00	0.00
Grants	£ -	£ -	0.00
Donations	£ -	£ -	0.00
Bank Interest	£ 219.05	£ 100.00	219.05
VAT Refunds	£ -	£ 1,445.00	0.00
Miscellaneous	£ 1,526.36	£ -	#####
Total Income	£ 16,813.41	£ 17,087.44	98.40

Expenditure

Clerk's Salary	£ 2,842.80	£ 6,000.00	47.38
Fees	£ 295.00	£ 300.00	98.33
Subscriptions	£ 420.84	£ 450.00	93.52
Admin Expenses	£ 157.00	£ 600.00	26.17
Insurance	£ 676.11	£ 825.00	81.95
Drainage Rates	£ 54.13	£ 55.00	98.42
Playing Field	£ 194.00	£ 10,100.00	1.92
Highways	£ 550.67	£ 7,500.00	7.34
Street Lights	£ 5,527.05	£ 3,500.00	157.92
Section 137 Payments	£ -	£ 500.00	0.00
LHI Projects	£ -	£ -	0.00
Recoverable VAT	£ 1,177.61	£ -	#####
Total Expenditure	£ 11,895.21	£ 29,830.00	39.88

Summary

Total Income	£ 16,813.41	£ 17,087.44
LESS Total Expenditure	£ 11,895.21	£ 29,830.00
Net Surplus or Deficit	£ 4,918.20	-£ 12,742.56

Balance Sheet

Balance B/fwd	£ 32,239.99
Surplus or Deficit	£ 4,918.20
Balance C/fwd	£ 37,158.19

Represented by

Barclays Community Account	£ 7,707.43
Barclays Business Premium Account	£ 29,450.76
Cash / Cheques	£ -
	£ 37,158.19

NEWTON-IN-THE-ISLE PARISH COUNCIL COMPLAINTS PROCEDURE

1. Newton-in-the-Isle Parish Council is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality. If you are dissatisfied with the standard of service you have received from this council, or are unhappy about an action or lack of action by this council, this Complaints Procedure sets out how you may complain to the council and how we shall try to resolve your complaint.
2. This Complaints Procedure applies to complaints about council administration and procedures and may include complaints about how council employees have dealt with your concerns.
3. This Complaints Procedure does not apply to:
 - 3.1. complaints by one council employee against another council employee, or between a council employee and the council as employer. These matters are dealt with under the council's disciplinary and grievance procedures.
 - 3.2. complaints against councillors. Complaints against councillors are covered by the Code of Conduct for Members adopted by the Council on 11 January 2022 and, if a complaint against a councillor is received by the council, it will be referred to the Standards Committee of Fenland District Council. Further information on the process of dealing with complaints against councillors may be obtained from the Monitoring Officer of Fenland District Council.
4. The appropriate time for influencing Council decision-making is by raising your concerns before the Council debates and votes on a matter. You may do this by writing to the Council in advance of the meeting at which the item is to be discussed. There may also be the opportunity to raise your concerns in the public participation section of Council meetings. If you are unhappy with a Council decision, you may raise your concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary.
5. You may make your complaint about the council's procedures or administration to the Clerk. You may do this in person, by phone, or by writing to or emailing the Clerk. The addresses and numbers are set out below.
6. Wherever possible, the Clerk will try to resolve your complaint immediately. If this is not possible, the Clerk will normally try to acknowledge your complaint within five working days.
7. If you do not wish to report your complaint to the Clerk, you may make your complaint directly to the Chairman of the Council who will report your complaint to the Council.
8. The Clerk or the Council will investigate each complaint, obtaining further information as necessary from you and/or from staff or members of the Council.
9. The Clerk or the Chairman of the Council will notify you within 20 working days of the outcome of your complaint and of what action (if any) the Council proposes to take as a result of your complaint. (In exceptional cases the twenty working days timescale may have to be extended. If it is, you will be kept informed.)

10. If you are dissatisfied with the response to your complaint, you may ask for your complaint to be reviewed by the full Council and (usually within eight weeks) you will be notified in writing of the outcome of the review of your original complaint.

Date of Adoption: 12 November 2024

Minute ref: 060/24(a)

Contact details for the Parish Clerk:

D Gibbs
Newton-in-the-Isle Parish Council
% 358 High Road
Newton-in-the-Isle
Wisbech
PE13 5HS

Phone - 01945 870083

Email - parishclerk@newtonintheisle.org.uk

For Correspondence to the Chairman:

R Bradley
Ivy Cottage
Cross Drove
Newton-in-the-Isle
Wisbech
PE13 4QF

Phone - 07584 055341

Email - richard.bradley@newtonintheisle.org.uk

NEWTON-IN-THE-ISLE PARISH COUNCIL

GRIEVANCE POLICY

Introduction

1. This policy is based on and complies with the 2015 ACAS Code of Practice.¹ It also takes account of the ACAS guide on discipline and grievances at work.² It aims to encourage and maintain good relationships between the Council and its employees by treating grievances seriously and resolving them as quickly as possible. It sets out the arrangements for employees to raise their concerns, problems or complaints about their employment with the Council. The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.
2. Many problems can be raised and settled during the course of everyday working relationships. Employees should aim to settle most grievances informally with their line manager.
3. This policy confirms:
 - employees have the right to be accompanied or represented at a grievance meeting or appeal by a companion who can be a workplace colleague, a trade union representative or a trade union official. This includes any meeting held with them to hear about, gather facts about, discuss, consider or resolve their grievance. The companion will be permitted to address the grievance/appeal meetings, to present the employee's case for his/her grievance/appeal and to confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the employee's wishes or prevent the employee from explaining his/her case
 - the Council will give employees reasonable notice of the date of the grievance/appeal meetings. Employees and their companions must make all reasonable efforts to attend. If the companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within five working days of the original meeting date unless it is unreasonable not to propose a later date
 - any changes to specified time limits must be agreed by the employee and the Council
 - an employee has the right to appeal against the decision about his/her grievance. The appeal decision is final
 - information about an employee's grievance will be restricted to those involved in the grievance process. A record of the reason for the grievance, its outcome and action taken is confidential to the employee. The employee's grievance records will be held by the Council in accordance with the General Data Protection Regulation (GDPR)

¹. <http://www.acas.org.uk/index.aspx?articleid=2174>.

². https://www.acas.org.uk/media/1043/Discipline-and-grievances-at-work-The-Acas-guide/pdf/DG_Guide_Feb_2019.pdf

- audio or video recordings of the proceedings at any stage of the grievance procedure are prohibited, unless agreed by all affected parties as a reasonable adjustment that takes account of an employee's medical condition
- if an employee who is already subject to a disciplinary process raises a grievance, the grievance will normally be heard after completion of the disciplinary procedure
- if a grievance is not upheld, no disciplinary action will be taken against an employee if he/she raised the grievance in good faith
- the Council may consider mediation at any stage of the grievance procedure where appropriate, (for example where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process which requires the consent of affected parties
- Employees can use all stages of the grievance procedure if the complaint is not a code of conduct complaint about a councillor. Employees can use the informal stage of the Council's grievance procedure (paragraph 4) to deal with all grievance issues, including a complaint about a councillor. Employees cannot use the formal stages of the Council's grievance procedure for a code of conduct complaint about a councillor. If the complaint about the councillor is not resolved at the informal stage, the employee can contact the monitoring officer of Fenland District Council who will inform the employee whether or not the complaint can be dealt with under the code of conduct. If it does not concern the code of conduct, the employee can make a formal complaint under the Council's grievance procedure (see paragraph 5)
- If the grievance is a code of conduct complaint against a councillor, the employee cannot proceed with it beyond the informal stage of the Council's grievance procedure. However, whatever the complaint, the Council has a duty of care to its employees. It must take all reasonable steps to ensure employees have a safe working environment, for example by undertaking risk assessments, by ensuring staff and councillors are properly trained and by protecting staff from bullying, harassment and all forms of discrimination
- If an employee considers that the grievance concerns his or her safety within the working environment, whether or not it also concerns a complaint against a councillor, the employee should raise these safety concerns with his or her line manager at the informal stage of the grievance procedure. The Council will consider whether it should take further action in this matter in accordance with any of its employment policies (for example its health and safety policy or its dignity at work policy) and in accordance with the code of conduct regime.

Informal grievance procedure

4. The Council and its employees benefit if grievances are resolved informally and as quickly as possible. As soon as a problem arises, the employee should raise it with his/her manager to see if an informal solution is possible. Both should try to resolve the matter at this stage. If the employee does not want to discuss the grievance with his/her manager (for example, because it concerns the manager), the employee should contact the Chairman of the Council. If the employee's complaint is about a councillor, it may be appropriate to involve that councillor at the informal stage. This will require both the employee's and the councillor's consent.

Formal grievance procedure

5. If it is not possible to resolve the grievance informally and the employee's complaint is not one that should be dealt with as a code of conduct complaint (see above), the employee may submit a formal grievance. It should be submitted in writing to the Chairman of the Council.
6. The Council will appoint a committee of three members to hear the grievance. The committee will appoint a Chairman from one of its members. No councillor with direct involvement in the matter shall be appointed to the committee.

Investigation

7. If the committee decides that it is appropriate, (e.g. if the grievance is complex), it may appoint an investigator to carry out an investigation before the grievance meeting to establish the facts of the case. The investigation may include interviews (e.g. the employee submitting the grievance, other employees, councillors or members of the public).
8. The investigator will summarise their findings (usually within an investigation report) and present their findings to the committee.

Notification

9. Within 10 working days of the Council receiving the employee's grievance (this may be longer if there is an investigation), the employee will normally be asked, in writing, to attend a grievance meeting. The written notification will include the following:
 - the names of its Chairman and other members
 - the date, time and place for the meeting. The employee will be given reasonable notice of the meeting which will normally be within 25 working days of when the Council received the grievance
 - the employee's right to be accompanied by a workplace colleague, a trade union representative or a trade union official
 - a copy of the Council's grievance policy
 - confirmation that, if necessary, witnesses may attend (or submit witness statements) on the employee's behalf and that the employee should provide the names of his/her witnesses as soon as possible before the meeting
 - confirmation that the employee will provide the Council with any supporting evidence in advance of the meeting, usually with at least two days' notice
 - findings of the investigation if there has been an investigation
 - an invitation for the employee to request any adjustments to be made for the hearing (for example where a person has a health condition).

The grievance meeting

10. At the grievance meeting:
 - the Chairman will introduce the members of the committee to the employee
 - the employee (or companion) will set out the grievance and present the evidence
 - the Chairman will ask the employee questions about the information presented and will want to understand what action he/she wants the Council to take
 - any member of the committee and the employee (or the companion) may question any witness
 - the employee (or companion) will have the opportunity to sum up the case
 - a grievance meeting may be adjourned to allow matters that were raised during the meeting to be investigated by the committee.
11. The Chairman will provide the employee with the committee's decision, in writing, usually within five working days of the meeting. The letter will notify the employee of the action, if any, that the Council will take and of the employee's right to appeal.

The appeal

12. If an employee decides that his/her grievance has not been satisfactorily resolved by the committee, he/she may submit a written appeal to the Council. An appeal must be received by the Council within five working days of the employee receiving the committee's decision and must specify the grounds of appeal.
13. Appeals may be raised on a number of grounds, e.g.
 - a failure by the Council to follow its grievance policy
 - the decision was not supported by the evidence
 - the action proposed by the committee was inadequate/inappropriate
 - new evidence has come to light since the grievance meeting.
14. The appeal will be heard by a panel of three members of the Council who have not previously been involved in the case. There may be insufficient members of the Council who have not previously been involved. If so, the appeal panel will be a committee of three Council members who may include members of the committee. The appeal panel will appoint a Chairman from one of its members.
15. The employee will be notified, in writing, usually within 10 working days of receipt of the appeal of the time, date and place of the appeal meeting. The meeting will normally take place within 25 working days of the Council's receipt of the appeal. The employee will be advised that he/she may be accompanied by a workplace colleague, a trade union representative or a trade union official.
16. At the appeal meeting, the Chairman will:
 - introduce the panel members to the employee
 - explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the decision of the committee
 - explain the action that the appeal panel may take.
17. The employee (or companion) will be asked to explain the grounds of appeal.

18. The Chairman will inform the employee that he/she will receive the decision and the panel's reasons, in writing, within five working days of the appeal meeting.
19. The appeal panel may decide to uphold the decision of the committee or substitute its own decision.
20. The decision of the appeal panel is final.

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NEWTON-IN-THE-ISLE PARISH COUNCIL

DISCIPLINARY POLICY

Introduction

- 1 This policy is based on and complies with the 2015 ACAS Code of Practice.¹ It also takes account of the ACAS guide on discipline and grievances at work.²

The policy is designed to help Council employees improve unsatisfactory conduct and performance in their job. Wherever possible, the Council will try to resolve its concerns about employees' behaviour informally, without starting the formal procedure set out below.

- 2 The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.
- 3 This policy confirms:
 - informal coaching and supervision will be considered, where appropriate, to improve conduct and/or attendance
 - the Council will fully investigate the facts of each case
 - the Council recognises that misconduct and unsatisfactory work performance are different issues. The disciplinary policy will also apply to work performance issues to ensure that all alleged instances of employees' underperformance are dealt with fairly and in a way that is consistent with required standards. However, the disciplinary policy will only be used when performance management proves ineffective³
 - employees will be informed in writing about the nature of the complaint against them and given the opportunity to state their case
 - employees will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary hearing
 - employees may be accompanied or represented by a companion - a workplace colleague, a trade union representative or a trade union official - at any investigatory, disciplinary or appeal meeting. The companion is permitted to address such meetings, to put the employee's case and confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the employee's wishes or prevent the employee from explaining his/her case

¹ <http://www.acas.org.uk/index.aspx?articleid=2174>

² https://www.acas.org.uk/media/1043/Discipline-and-grievances-at-work-The-Acas-guide/pdf/DG_Guide_Feb_2019.pdf

³ For more information see ACAS "Performance Management" at <https://www.acas.org.uk/index.aspx?articleid=6608>

- the Council will give employees reasonable notice of any meetings in this procedure. Employees must make all reasonable efforts to attend. Failure to attend any meeting may result in it going ahead and a decision being taken. An employee who does not attend a meeting will be given the opportunity to be represented and to make written submissions
- if the employee's companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within five working days of the original meeting date unless it is unreasonable not to propose a later date
- any changes to specified time limits in the Council's procedure must be agreed by the employee and the Council
- information about an employee's disciplinary matter will be restricted to those involved in the disciplinary process. A record of the reason for disciplinary action and the action taken by the Council is confidential to the employee. The employee's disciplinary records will be held by the Council in accordance with the General Data Protection Regulation (GDPR)
- audio or video recordings of the proceedings at any stage of the disciplinary procedure are prohibited, unless agreed by all affected parties as a reasonable adjustment that takes account of an employee's medical condition
- employees have the right to appeal against any disciplinary decision. The appeal decision is final
- if an employee who is already subject to the Council's disciplinary procedure raises a grievance, the grievance will normally be heard after the completion of the disciplinary procedure
- disciplinary action taken by the Council can include a written warning, final written warning or dismissal
- this procedure may be implemented at any stage if the employee's alleged misconduct warrants this
- except for gross misconduct when an employee may be dismissed without notice, the Council will not dismiss an employee on the first occasion that it decides there has been misconduct
- if an employee is suspended following allegations of misconduct, it will be on full pay and only for such time as is necessary. Suspension is not a disciplinary sanction. The Council will write to the employee to confirm any period of suspension and the reasons for it
- the Council may consider mediation at any stage of the disciplinary procedure where appropriate (for example where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process that requires the consent of affected parties.

Examples of misconduct

- 4 Misconduct is employee behaviour that can lead to the employer taking disciplinary action. The following list contains some examples of misconduct. The list is not exhaustive.
- unauthorised absence
 - poor timekeeping
 - misuse of the Council's resources and facilities including telephone, email and internet
 - inappropriate behaviour
 - refusal to follow reasonable instructions
 - breach of health and safety rules.

Examples of gross misconduct

- 5 Gross misconduct is misconduct that is so serious that it is likely to lead to dismissal without notice. The following list contains some examples of gross misconduct. The list is not exhaustive
- bullying, discrimination and harassment
 - incapacity at work because of alcohol or drugs
 - violent behaviour
 - fraud or theft
 - gross negligence
 - gross insubordination
 - serious breaches of Council policies and procedures e.g. the Health and Safety Policy, Equality and Diversity Policy, Data Protection Policy and any policies regarding the use of information technology
 - serious and deliberate damage to property
 - use of the internet or email to access pornographic, obscene or offensive material
 - disclosure of confidential information.

Suspension

- 6 If allegations of gross misconduct or serious misconduct are made, the Council may suspend the employee while further investigations are carried out. Suspension will be on full pay. Suspension does not imply any determination of guilt or innocence, as it is merely a measure to enable further investigation.
- 7 While on suspension, the employee is required to be available during normal hours of work in the event that the Council needs to make contact. The employee must not contact or attempt to contact or influence anyone connected with the investigation in any way or to discuss this matter with any other employee or Councillor.
- 8 The employee must not attend work. The Council will make arrangements for the employee to access any information or documents required to respond to any allegations.

Examples of unsatisfactory work performance

- 9 The following list contains some examples of unsatisfactory work performance. The list is not exhaustive.
- inadequate application of management instructions/office procedures
 - inadequate IT skills
 - unsatisfactory management of staff
 - unsatisfactory communication skills.

The Procedure

- 10 Preliminary enquiries. The Council may make preliminary enquiries to establish the basic facts of what has happened in order to understand whether there may be a case to answer under the disciplinary procedure.

If the employee's manager believes there may be a disciplinary case to answer, the Council may initiate a more detailed investigation undertaken to establish the facts of a situation or to establish the perspective of others who may have witnessed misconduct.

- 11 Informal Procedures. Where minor concerns about conduct become apparent, it is the manager's responsibility to raise this with the employee and clarify the improvements required. A file note will be made and kept by the manager. The informal discussions are not part of the formal disciplinary procedure. If the conduct fails to improve, or if further matters of conduct become apparent, the manager may decide to formalise the discussions and invite the employee to a first stage disciplinary hearing.

Disciplinary investigation

- 12 A formal disciplinary investigation may sometimes be required to establish the facts and whether there is a disciplinary case to answer.
- 13 If a formal disciplinary investigation is required, the Council will appoint an Investigator who will be responsible for undertaking a fact-finding exercise to collect all relevant information. The Investigator will be independent and will normally be a Councillor. If the Council considers that there are no Councillors who are independent (for example, because they all have direct involvement in the allegations about the employee), it will appoint someone from outside the Council. The Investigator will be appointed as soon as possible after the allegations have been made. The Council will inform the Investigator of the terms of reference of the investigation. The terms of reference should specify:
- the allegations or events that the investigation is required to examine
 - whether a recommendation is required
 - how the findings should be presented. For example, an investigator will often be required to present the findings in the form of a written report
 - who the findings should be reported to and who to contact for further direction if unexpected issues arise or advice is needed.

- 14 The Investigator will be asked to submit their findings within 20 working days of appointment where possible. In cases of alleged unsatisfactory performance or of allegations of minor misconduct, the appointment of an Investigator may not be necessary and the Council may decide to commence disciplinary proceedings at the next stage - the disciplinary meeting (see paragraph 22).
- 15 The Council will notify the employee in writing of the alleged misconduct and details of the person undertaking the investigation. The employee may be asked to meet an Investigator as part of the disciplinary investigation. The employee will be given sufficient notice of the meeting with the Investigator so that he/she has reasonable time to prepare for it. The letter will explain the investigatory process and that the meeting is part of that process. The employee will be provided with a copy of the Council's disciplinary procedure. The Council will also inform the employee that when he/she meets with the Investigator, he/she will have the opportunity to comment on the allegations of misconduct.
- 16 Employees may be accompanied or represented by a workplace colleague, a trade union representative or a trade union official at any investigatory meeting.
- 17 If there are other persons (e.g. employees, Councillors, members of the public or the Council's contractors) who can provide relevant information, the Investigator should try to obtain it from them in advance of the meeting with the employee.
- 18 The Investigator has no authority to take disciplinary action. His/her role is to establish the facts of the case as quickly as possible and prepare a report that recommends to the Council whether or not disciplinary action should be considered under the policy.
- 19 The Investigator's report will contain his/her recommendations and the findings on which they were based. He/she will recommend either:
 - the employee has no case to answer and there should be no further action under the Council's disciplinary procedure
 - the matter is not serious enough to justify further use of the disciplinary procedure and can be dealt with informally or
 - the employee has a case to answer and a formal hearing should be convened under the Council's disciplinary procedure.
- 20 The Investigator will submit the report to the Council which will decide whether further action will be taken.
- 21 If the Council decides that it will not take disciplinary action, it may consider whether mediation would be appropriate in the circumstances.

The disciplinary meeting

- 22 If the Council decides that there is a case to answer, it will appoint a staffing committee of three Councillors, to formally hear the allegations. The staffing committee will appoint a Chairman from one of its members. The Investigator shall not sit on the committee.
- 23 No Councillor with direct involvement in the matter shall be appointed to the committee. The employee will be invited, in writing, to attend a disciplinary meeting. The committee's letter will confirm the following:
- the names of its Chairman and other two members
 - details of the alleged misconduct, its possible consequences and the employee's statutory right to be accompanied at the meeting
 - a copy of the information provided to the committee which may include the investigation report, supporting evidence and a copy of the Council's disciplinary procedure
 - the time and place for the meeting. The employee will be given reasonable notice of the hearing so that he/she has sufficient time to prepare for it
 - that witnesses may attend on the employee's and the Council's behalf and that both parties should inform each other of their witnesses' names at least two working days before the meeting
 - that the employee may be accompanied by a companion - a workplace colleague, a trade union representative or a trade union official.

The purpose of the disciplinary meeting hearing is for the allegations to be put to the employee and then for the employee to give their perspective. It will be conducted as follows:

- the Chairman will introduce the members of the committee to the employee and explain the arrangements for the hearing
 - the Chairman will set out the allegations and invite the Investigator to present the findings of the investigation report (if there has been a previous investigation)
 - the Chairman will invite the employee to present their account
 - the employee (or the companion) will set out his/her case and present evidence (including any witnesses and/or witness statements)
 - any member of the committee and the employee (or the companion) may question the Investigator and any witness
 - the employee (or companion) will have the opportunity to sum up.
- 24 The Chairman will provide the employee with the committee's decision with reasons, in writing, within five working days of the meeting. The Chairman will also notify the employee of the right to appeal the decision.
- 25 The disciplinary meeting may be adjourned to allow matters that were raised during the meeting to be further investigated by the committee.

Disciplinary action

- 26 If the committee decides that there should be disciplinary action, it may be any of the following:

First written warning

If the employee's conduct has fallen beneath acceptable standards, a first written warning will be issued. A first written warning will set out:

- the reason for the written warning, the improvement required (if appropriate) and the time period for improvement
- that further misconduct/failure to improve will result in more serious disciplinary action
- the employee's right of appeal
- that a note confirming the written warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for a specified period of time (e.g. 12 months).

Final written warning

If the offence is sufficiently serious, or if there is further misconduct or a failure to improve sufficiently during the currency of a prior warning, the employee will be given a final written warning. A final written warning will set out:

- the reason for the final written warning, the improvement required (if appropriate) and the time period for improvement
- that further misconduct/failure to improve will result in more serious disciplinary action up to and including dismissal
- the employee's right of appeal
- that a note confirming the final written warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for a specified period of time (e.g. 12 months).

Dismissal

The Council may dismiss:

- for gross misconduct
- if there is no improvement within the specified time period, in the conduct which has been the subject of a final written warning
- if another instance of misconduct has occurred and a final written warning has already been issued and remains in force.

- 27 The Council will consider very carefully a decision to dismiss. If an employee is dismissed, he/she will receive a written statement of the reasons for his/her dismissal, the date on which the employment will end and details of his/her right of appeal. If the committee decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file. Action taken as a result of the disciplinary meeting will remain in force unless it is modified as a result of an appeal.

The appeal

- 28 An employee who is the subject of disciplinary action will be notified of the right of appeal. His/her written notice of appeal must be received by the Council within five working days of the employee receiving written notice of the disciplinary action and must specify the grounds for appeal.
- 29 The grounds for appeal include;
- a failure by the Council to follow its disciplinary policy
 - the committee's disciplinary decision was not supported by the evidence
 - the disciplinary action was too severe in the circumstances of the case
 - new evidence has come to light since the disciplinary meeting.
- 30 Where possible, the appeal will be heard by a panel of three members of the Council who have not previously been involved in the case. This includes the Investigator. There may be insufficient members of the Council who have not previously been involved. If so, the appeal panel will be a committee of three members of the Council who may include members previously involved. The appeal panel will appoint a Chairman from one of its members.
- 31 The employee will be notified, in writing, within 10 working days of receipt of the notice of appeal of the time, date and place of the appeal meeting. The employee will be advised that he/she may be accompanied by a companion - a workplace colleague, a trade union representative or a trade union official.
- 32 At the appeal meeting, the Chairman will:
- introduce the panel members to the employee
 - explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the disciplinary decision
 - explain the action that the appeal panel may take.
- 33 The employee (or companion) will be asked to explain the grounds for appeal.
- 34 The Chairman will inform the employee that he/she will receive the decision and the panel's reasons, in writing, usually within five working days of the appeal hearing.
- 35 The appeal panel may decide to uphold the disciplinary decision of the Council, substitute a less serious sanction or decide that no disciplinary action is necessary. If it decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file.
- 36 If an appeal against dismissal is upheld, the employee will be paid in full for the period from the date of dismissal and continuity of service will be preserved.
- 37 The appeal panel's decision is final.