

## HARDWICK PARISH COUNCIL

**I hereby give notice that as previously arranged, the Meeting of the Parish Council will be held on  
Tuesday 28 August 2018 at the Pavilion at 7.00 pm**

*The Public and Press are cordially invited to be present. The order of business may be varied.*

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 below.

*Ben Stoehr*

Ben Stoehr, Acting Clerk 21/08/18

### AGENDA

#### Open Public Session including reports from the County & District Councillors

- 1. To approve apologies for absence**
- 2. Declaration of interests**
  - 2.1 To receive declarations of interests from Cllrs on items on the agenda and details of dispensations held
  - 2.2 To receive written requests for dispensation and grant any as appropriate for items on this agenda
- 3. To approve the minutes of the last meeting**
- 4. Appointment of Acting Clerk**
- 5. Co-option to fill vacancies following election – to consider any applications received**
- 6. Matters arising and carried forward from the last or previous meetings for discussion/decision**
  - 6.1 (Open) To consider quotations for drains at the Pavilion
  - 6.2 (5.3) Standing orders review <sup>(MC)</sup> – items deferred at the last meeting including
    - 6.2.1 Section 15 – to consider the Clerk's advice
    - 6.2.2 Section 19 – staff matters – to consider simplified version
    - 6.2.3 Section 20 – to consider clarification from NALC
    - 6.2.4 Section 23 – to note clarification regarding the Common Seal
    - 6.2.5 Section 26 – Proposal to review the practice of a Minutes Secretary attending meetings <sup>(MC)</sup>
  - 6.3 (5.3) Consideration of Financial Regulations, Risk Assessment and other policies <sup>(MC)</sup>
  - 6.4 (5.5) Consideration of holding meetings at other times – to consider the Clerk's advice <sup>(MC)</sup>
  - 6.5 (5.8) Consideration of the requirements for the General Power of Competence and any further action necessary <sup>(MC)</sup>
  - 6.6 (6.5 and 8.2) CCC Local Highways Improvement Scheme and proposal for electronic speed signs – update <sup>(PJ)</sup>
  - 6.7 (6.6) Removal of dead trees in woodland behind Sudeley Grove – to consider revised quotations if received
  - 6.8 (6.7) Hardwick Play Parks Expression of Interest to the Amey Community Foundation for funding towards play equipment in Hardwick – update and to consider any further action required <sup>(AG)</sup>
  - 6.9 (8.4) Clearance of brambles from woodland behind Sudeley Grove – to consider revised quotations if received
  - 6.10 (9.3) To consider the outstanding invoice from Herts & Cambs Ground Maintenance
  - 6.11 (9.4) To consider the RoSPA reports
  - 6.12 (9.5) Appointment of Internal Auditor for FY2019
  - 6.13 (10) Proposal for removal of overgrowth on the eastern side of the hedge to the south of the Pavilion and consideration of further control of the hedgerows on the recreation field <sup>(SR)</sup>
  - 6.14 (10) Proposal to delegate authority to the Clerk for dealing with illegal encampments <sup>(MC)</sup>
  - 6.15 (10) Proposal to invite Aidan Van De Weyer of SCDC to a future meeting <sup>(PJ)</sup>
- 7. To consider any correspondence / communications received**
  - 7.1 Resident – request to cut overgrown hedge at 43 Cambridge Road
  - 7.2 Resident – request to cut back overgrown branches at the junction of Laxton Avenue and Ellison Lane
  - 7.3 Hill – Grace Crescent street names – request for suggestions
  - 7.4 SCDC consultation on Gambling (2005 Act) Policy
  - 7.5 To consider the Internal Audit Report FY2018
- 8. To consider any planning applications and decision notices and tree works applications \***
  - 8.1 Planning applications

\* NB Some planning and tree works applications may not be specifically listed on this agenda but may still be considered by the Parish Council due to the time constraints of making a recommendation to the District Council. For more information see the current planning application consultations on <http://plan.scambs.gov.uk/swiftlg/apas/run/wchvarylogin.display>

Hardwick Parish Council meets on the fourth Tuesday in each month except December when the meeting is on the third Tuesday. Meetings are held in the School but occasionally, when the School is closed they are held in the Pavilion. Please check the notice board for the venue which is shown on the agenda for each meeting.

- 8.1.1 S/3137/18/VC – 175 St Neots Road – Removal of condition 4 (Number of users) of planning consent S/1256/18/FL for change of use of part of commercial unit from A1 pet store to D2 gym/personal and small group fitness training business
- 8.1.2 S/2693/18/FL – 28 Main Street – Works to barn to comprise re-roof in natural slate plus rooflights, reclad in dark stained horizontal feather edge boarding, insert new windows and door. Internal subdivision to create lobby, WC, games room, home office and mower store. Work to garage walls to be clad in dark stained horizontal feather edge boarding.
- 8.1.3 S/2853/18/DC – 26 Main Street – Discharge of condition 5aq (Precise details of all proposed windows and doors)
- 8.2 SCDC and appeal decision notices - to note
- 8.3 Tree works applications
  - 8.3.1 S/2904/18/TC – 8 Sadlers Close
  - 8.3.2 S/3185/18/FL – Blue Lion, 74 Main Street
- 8.4 Temporary Traffic Restriction Order – UK Power Networks at Grace Crescent
- 9. Members reports and items for information only unless otherwise stated**
  - 9.1 New Housing Developments and Planning Obligations <sup>(SR)</sup>
  - 9.2 Proposal to fund minor expenses of the Hardwick Community Centre Working Group
  - 9.3 Proposal to nominate a councillor to liaise with Highways regarding ‘Hardwick roads, road safety, Hardwick village paths, Hardwick and surrounding cycle networks’
- 10. Finance, risk assessment and procedural matters**
  - 10.1 To consider any quotes for urgent work required because of risk and the Clerk’s use of delegated powers
  - 10.2 To receive play areas and skate park inspection reports
  - 10.3 To consider the specification for the grass cutting contract
  - 10.4 To receive the financial report and approve the payment of bills
- 11. Closure of meeting and items for the next agenda**

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Mrs Gail Stoehr, Clerk to Hardwick Parish Council, 30 West Drive, Highfields Caldecote, Cambridge, CB23 7NY  
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## CLERK REPORT TO HARDWICK PARISH COUNCIL MEETING ON 28 AUGUST 2018

Please note that this meeting will be held at the Pavilion.

1. Apologies for absence – to be reported at the meeting.
2. Declaration of interests – members should declare their interests state why they have an interest, the type of interest held and if they have a dispensation state this and the extent of their dispensation i.e. to either speak or speak and vote.
3. To approve the minutes of the last meeting on 24 July 2018 (attached)
4. Appointment of Acting Clerk  
The Chairman, using his emergency powers has appointed Ben Stoehr of LGS Services as Acting Clerk in the Clerk's absence until the August Council meeting. The Council need to consider if it wants this arrangement to continue until the Clerk's return or if it wishes to make alternative provision.
5. Co-option to fill vacancies following election – to consider any applications received  
None received at the time of writing.
6. Matters arising and carried forward from the last or a previous meeting for discussion/decision
- 6.1 (Open) To consider quotations for drains at the Pavilion  
Quotations received will be brought to the meeting.
- 6.2 (5.3) Standing orders review<sup>(MC)</sup> – items deferred at the last meeting including
- 6.2.1 Section 15 – to consider the Clerk's advice  
The Parish Council has an adopted Freedom of Information Act Publication Scheme (attached). The standing order identifies the position that is responsible for managing the policy under the FOI Act. It is advised not to remove the standing order as it reflects current practice.
- 6.2.2 Section 19 – staff matters – to consider simplified version  
It is not recommended to change or remove any of this section. Employment legislation is complex and the standing order has already simplified the council's basic employer responsibilities.
- 6.2.3 Section 20 – to consider clarification from NALC  
Part B is not relevant to HPC at its current levels of financial activity, however cannot be removed as it is a mandatory section. The over £200k section is likely to be relevant when the S106 funds are received.
- 6.2.4 Section 23 – to note clarification regarding the Common Seal  
The Parish Council does not have a seal so section B part 2 is most appropriate.
- 6.2.5 Section 26 – Proposal to review the practice of a Minutes Secretary attending meetings<sup>(MC)</sup>  
Cllr Cassey to report.
- 6.3 (5.3) Consideration of Financial Regulations, Risk Assessment and other policies<sup>(MC)</sup>  
Cllr Cassey to report.
- 6.4 (5.5) Consideration of holding meetings at other times – to consider the Clerk's advice<sup>(MC)</sup>  
The Parish Council may meet at any time or on any day of the week. The Parish Council must make a schedule of meetings; the Parish Council can hold its meetings at different times, days or locations within its schedule. An extra ordinary meeting can be called (procedure set out in standing orders) for any time and date. The statutory notice of 3 clear days would still need to be given for any meeting.
- 6.5 (5.8) Consideration of the requirements for the General Power of Competence and any further action necessary<sup>(MC)</sup>  
There is no process to allow the District Council to 'recall' a seat for election once the notice period for a bye election has passed. The seat can only be filled by co-option or at the next ordinary election. General Power of Competence guidance provided by Cllr Cassey is attached, the email from Cllr Cassey has been circulated to all members.
- 6.6 (6.5 and 8.2) CCC Local Highways Improvement Scheme and proposal for electronic speed signs – update<sup>(PJ)</sup>  
Cllr Joslin to report.

- 6.7 (6.6) Removal of dead trees in woodland behind Sudeley Grove – to consider revised quotations if received  
Revised quotations have been requested for the removal of the dead trees only and will be brought to the meeting if received.
- 6.8 (6.7) Hardwick Play Parks Expression of Interest to the Amey Community Foundation for funding towards play equipment in Hardwick – update and to consider any further action required <sup>(AG)</sup>  
The Chairman to provide an update.
- 6.9 (8.4) Clearance of brambles from woodland behind Sudeley Grove – to consider revised quotations if received  
Revised quotations have been sought for the removal of just the brambles, as a separate issue from removal of the dead trees, and will be brought to the meeting if received.
- 6.10 (9.3) To consider the outstanding invoice from Herts & Cambs Ground Maintenance  
Deferred at the last meeting.
- 6.11 (9.4) To consider the RoSPA reports  
Deferred at the last meeting.
- 6.12 (9.5) Appointment of Internal Auditor for FY2019  
Deferred at the last meeting.
- 6.13 (10) Proposal for removal of overgrowth on the eastern side of the hedge to the south of the Pavilion and consideration of further control of the hedgerows on the recreation field <sup>(SR)</sup>  
Proposed at the last meeting. Cllr Rose has written:  
“I would like the PC to discuss the further control of the hedgerows on the recreation field in particular, but not restricted to, the eastern side of the hedgerow adjoining the car park.”
- 6.14 (10) Proposal to delegate authority to the Clerk for dealing with illegal encampments <sup>(MC)</sup>  
Cllr Cassey to report.
- 6.15 (10) Proposal to invite Aidan Van De Weyer of SCDC to a future meeting <sup>(PJ)</sup>  
Proposed at the last meeting.
7. To consider any correspondence/communications received
- 7.1 Resident – request to cut overgrown hedge at 43 Cambridge Road  
In 2011 the Parish Council agreed to cut back the hedge at the side of the property, which at the time was over 10 feet high, and this was done again in 2014. The resident has written: “The hedge is now very high again and at risk of falling over. Please arrange for it to be cut as soon as possible.”  
Quotations are being obtained and will be brought to the meeting if received.
- 7.2 Resident – request to cut back overgrown branches at the junction of Laxton Avenue and Ellison Lane  
A resident has written:  
“Sight to the right hand side of the junction onto Ellison Lane is blocked by tree foliage low down on a tree. This is a problem for vehicles leaving Laxton Avenue.”  
Quotations are being obtained and will be brought to the meeting if received.
- 7.3 Hill – Grace Crescent street names – request for suggestions  
Hill have written:  
“As part of the planning for the new development, we are required to provide suggestions of new street names to the council. Whilst they I believe they will also consult with yourselves before making any decisions if the parish does have any suggestions of appropriate names or themes that we can consider I would be grateful if you could pass these on to us. We are aiming to make the initial application at the beginning of September so if you are able to pass any suggestions to myself by then that would be appreciated.”
- 7.4 SCDC consultation on Gambling (2005 Act) Policy  
**“Consultation – Gambling (2005 Act) Policy**  
The review of a Statement of South Cambridgeshire District Council’s Gambling Act Policy is a requirement under Section 349 of the Gambling Act 2005. In preparing the statement, officers have given full regard to both the requirements of the Act itself and the revised guidelines issued by the Department of Culture Media and Sport (DCMS), Gambling Commission and where relevant,

Council strategies such as crime and disorder. The policy will form the basis of any decision taken in respect of applications or enforcement under the Gambling Act 2005 by Officers or any Committee or sub-committee involved in licensing decisions.

The objectives of the Act as set by Government are:

- To prevent gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

As part of a public consultation process I am writing to you for views and feedback before the final policy comes into effect. Consultees will include

The Draft Gambling Policy has been published for public consultation and is available for viewing via the South Cambridgeshire District Council Website:

<https://www.scams.gov.uk/content/gambling-and-lottery-licences>

Alternatively, hard copies can be made available by telephoning the Licensing Department on 01954 713481 or emailing [licensing@scams.gov.uk](mailto:licensing@scams.gov.uk).

We welcome any comments you may wish to make and any views should be submitted in writing either by email or sent to:

The Licensing Manager,  
South Cambridgeshire District Council”

7.5 To consider the Internal Audit Report FY2018  
Attached

Other to note:

Temporary diversion of Bridleway  
SCDC have written:

“A few people have recently been in touch about the diversion of the bridal-way to accommodate delivery vehicles.

I have attached a plan for information with the diversion Hill should be putting in place.

If you receive any comments please feel free to send this on.

This delivery access will only be in place for the duration of the build so they do not disrupt residents in Grace Crescent.”

Plan attached.

8.1 Planning applications

NB Some planning applications may not be specifically listed on this agenda but may still be considered by the Parish Council due to the time constraints of making a recommendation to the District Council. For more information see the current planning application consultations on <http://plan.scams.gov.uk/swiftlg/apas/run/wchvarylogin.display>

8.1.1 S/3137/18/VC – 175 St Neots Road – Removal of condition 4 (Number of users) of planning consent S/1256/18/FL for change of use of part of commercial unit from A1 pet store to D2 gym/personal and small group fitness training business

8.1.2 S/2693/18/FL – 28 Main Street – Works to barn to comprise re-roof in natural slate plus rooflights, reclad in dark stained horizontal feather edge boarding, insert new windows and door. Internal subdivision to create lobby, WC, games room, home office and mower store. Work to garage walls to be clad in dark stained horizontal feather edge boarding.

8.1.3 S/2853/18/DC – 26 Main Street – Discharge of condition 5aq (Precise details of all proposed windows and doors)

- 8.2 SCDC and appeal decision notices - to note
- 8.2.1 S/3064/16/OL – Land South of 279 St Neots Road – Outline planning permission for a residential development of up to 155 dwellings following demolition of two existing dwellings, with areas of landscaping and public open space and associated infrastructure works with all matters reserved except for access – Permission granted.
- 8.2.2 S/1705/18/FL – Land adjacent to 3 Lark Rise – Proposed dwelling – Permission granted.
- 8.2.3 S/1068/18/DC – Grace Crescent – Discharge of conditions 16 (Boundary treatment), 24 (Ecology) and 34 (Location of allotments) of outline planning permission S/1694/16/OL – Permission granted.
- 8.2.4 S/1537/18/DC – Agricultural field west of Grace Crescent – Discharge of condition 35 (Details of scheme for the provision of additional parking of planning permission S/1694/16/OL – Permission granted.
- 8.2.5 S/1620/18/DC – Agricultural field west of Grace Crescent – Discharge of condition 15 (Site waste management plan, written strategy for minimisation of noise, vibration and dust, contractors’ access arrangements, contractors’ site storage areas and parking for contractors’ vehicles) of planning permission S/1694/16/OL – Permission granted.
- 8.2.6 S/2037/18/DC – Agricultural field west of Grace Crescent – Discharge of condition 29 (Electronic vehicle charging) of planning permission S/1694/16/OL – Permission granted.

### 8.3 Tree works applications

Tree works applications may now be viewed on the SCDC Planning Portal. NB Some tree works applications may not be specifically listed on this agenda but may still be considered by the Parish Council due to the time constraints of making a recommendation to the District Council. For more information see the current tree works application consultations on

<http://plan.scambs.gov.uk/swiftlg/apas/run/wchvarylogin.display>

- 8.3.1 S/2904/18/TC – 8 Sadlers Close
- 8.3.2 S/3185/18/FL – Blue Lion, 74 Main Street (this is a different application from the one approved last month)
- 8.4 Temporary Traffic Restriction Order – UK Power Networks at Grace Crescent  
Attached

## 9. Members’ reports and items for information only unless otherwise stated

### 9.1 New Housing Developments and Planning Obligations <sup>(SR)</sup>

Cllr Rose to report.

Cllr Rose has written:

“I attach below a response from the Community Centre Village Working Group to Hardwick Guides and Scouts.

In essence it has not been possible to reach an agreement with Guides and Scouts for them to surrender their lease and therefore the Village Working Group is now looking at the alternative sites included in David Thompson’s letter of 11 November 2016.”

The response of the Working Group is below for information.

“The Community Centre Village Working Group wishes to thank the representatives of the Guides and Scouts for attending a meeting with the Working Group last week and particularly for your help in organising the meeting.

The Working Group found the meeting very worthwhile and appreciated everyone’s frank and honest contributions.

Both parties had been exploring whether it was possible and desirable for the Guides and Scouts to surrender their lease of the Guide and Scout Hut and for that land to be returned to the Parish Council to enable a community centre to be built there. The community centre would then have been available for use by the Guides and Scouts. The Guides and Scouts wish to replicate within the community centre, as far as possible, all the facilities and access that they currently enjoy in the Guide and Scout Hut. This seems, for the Scouts and Guides, more important than the opportunity to share newer and more extensive facilities in the modern community centre that we are working to achieve, and we understand and respect this view.

Accordingly the Working Group have decided that we have to abandon the proposal of building the community centre on the Guide and Scout Hut site and consider alternative sites instead. Given the reports that the Guide and Scout Hut is in a sound condition and good for many more years’ service

this appears to us the best outcome for the Guides and Scouts as well, and the Working Group hopes that the Guides and Scouts continue to thrive in Hardwick under the dedicated leadership you and others are providing.”

9.2 Funding minor expenses of the Hardwick Community Centre Working Group<sup>(SR)</sup>

Cllr Rose to report

9.3 Proposal to nominate a councillor to liaise with Highways regarding ‘Hardwick roads, road safety, Hardwick village paths, Hardwick and surrounding cycle networks’

Cllr Joslin to report

10. Finance and risk assessment and procedural matters

10.1 To consider any quotes for urgent work required because of risk and Clerk’s use of delegated powers

The Acting Clerk used delegated powers to:

- Order the repair of the safety surfacing at the Egremont Road play area at a cost of £675 in accordance with the decision made at the last meeting. This has been completed by the contractor.
- The Chairman has submitted the Expression of Interest Form to Amey Community Foundation for the Hardwick Play Parks Stage 2 project.. the form had to be submitted in the name of the Parish Council not Hardwick Play Parks Project.

10.2 To receive play areas and skate park inspection reports

10.3 To consider the specification for the grass cutting contract

Current specification attached for information. Are any changes required?

10.4 To receive the financial report and approve the payment of bills – attached

11. Closure of Meeting and items for the next agenda

**Hardwick Parish Council**  
**Minutes of the Meeting held on Tuesday 24 July 2018**  
**in the School at 7.00 pm**

Present: Councillors: A Gill (Chairman), P Joslin, S Rose, D Wellbelove and M Cassey

In attendance: 3 members of the public including Clare McGowan (Hardwick Play Parks), and Mrs A Griffiths (Minutes Secretary, LGS Services).

**Open public session including reports from the County and District Councillors**

Chris Cracknell on behalf of the Hardwick Sports and Social Club reported problems with the drains at the Pavilion, which had caused a foul smell. The Dyno-Rod engineer had found very little water in the exit pipe in the ladies' toilet, whilst by the patio it was full of water, and was of the opinion that the problem was caused by the extreme heat drying out the ground. The Club thought that it might be necessary to lift the paving stones and re-lay the pipe, and asked the Parish Council to arrange for action to be taken quickly to survey and remedy the problem.

County Cllr Lina Joseph's written report had already been circulated.

The Chairman read out the report of the District Councillor, who had conveyed his apologies. This covered:

- Unauthorised encampments. A review is to be submitted to Cabinet in the autumn.
- Planning Committee meetings will now be held on the second Wednesday of each month.
- A conference on the Cambridge to Oxford Express way.
- The Greater Cambridge Partnership consultation on Greenways and forthcoming consultation events. It was observed that there was a proposed Cambridge to Comberton Greenway and information was available on the website.

On a proposition by the Chairman, it was agreed to vary the order of business to bring item 6.7 forward.

**1. To approve apologies for absence**

Apologies had been received from District Cllr Chamberlain.

**2. Declaration of interests**

**2.1 To receive declarations of interests from councillors on items on the agenda and details of dispensations held**

Cllr Cassey declared an interest in item 5.2 (Website) and the existence of his dispensation to speak and vote; also in any item concerning the proposed Community Centre as a member of the Community Centre Working Group, and the existence of his dispensation; and in item 6.4 (Village Plan) where he indicated his intention to abstain as he felt his dispensation was ambiguous.

Cllr Joslin declared an interest in item 6.3 as a member of the WI.

Cllr Gill declared an interest in item 8.1 as a member of the Community Room Trustees and the existence of his dispensation to speak and vote.

**2.2 To receive written and grant any requests for dispensation as appropriate for items on this agenda**

None.

**3. To approve the minutes of the previous meeting on 15 May**



RESOLVED that the minutes of the meeting on 15 May be approved and signed by the Chairman as a true record, after the following amendments: <sup>(Prop PJ, 2nd MC, carried with 4 in favour and 1 abstention)</sup>

- under the Open session, line 11, change “back spit” to “back spill”
- under item 6, Play Area inspections, amend to read: “Cllr Cassey: St Mary’s play area; Cllr Gill: Worcester Avenue and Grenadier Walk; Skate Park and Egremont Road play area – Cllr Wellbelove.” On a proposition by the Chairman the meeting was briefly suspended to ask Clare McGowan whether the members of the Play Park group would be able to undertake the play area checks. Ms McGowan indicated that this would not be possible because of work commitments. The meeting resumed. Cllr Wellbelove offered to carry out the checks for all the play areas. It was agreed that this proposal should be taken under Matters Arising.
- under item 29.1, amend wording to read “the Parish Council has recently had a lot of expenditure on the Pavilion and therefore did not wish to support this particular request.”
- On page 602, delete first sentence “Resolved to add that.... satisfactorily discharged.”
- Under item 30.2, change numbering of sub-headings from 29 to 30.

**4. Co-option to fill vacancies following election – to consider any applications received**

None.

**5. Matters arising and carried forward from the last or previous meetings for discussion/decisions**

**5.0.1 Play area inspections**

RESOLVED that Cllr Wellbelove be appointed to carry out the play area checks for all the play areas. <sup>(Prop PJ, 2nd AG, carried with 4 in favour and 1 abstention)</sup>

**5.1 (Open) Request to hold a fundraising car boot sale at the Pavilion**

RESOLVED to respond to the resident that in principle the Parish Council has no objection to his holding a car boot sale on the Pavilion car park, subject to it being held at a time that will not inconvenience HSSC, subject to the organisers holding the appropriate public liability insurance cover, and subject to a written risk assessment being sent to the Clerk in advance. <sup>(Prop SR, 2nd PJ, unanimous)</sup> Clare McGowan will find out and advise the Parish Council of the resident’s contact details.

**5.2 (6) Website – to consider allowing access for Hardwick Happenings and village organisations to have access to their pages**

RESOLVED that the Parish Council has no problem with Hardwick Happenings being able to access and edit their pages on the website, but that this facility should be restricted to Hardwick Happenings only. RESOLVED that Cllr Rose should inform Hardwick Happenings accordingly. <sup>(Prop AG, 2nd PJ, unanimous)</sup>

**5.3 (10) Consideration of Standing Orders, financial regulations, risk assessment and other policies**

The Council reviewed the new NALC model Standing Orders. Cllr Cassey reported and following discussion the following recommendations were made:

- Under Section 1, Rules of Debate, to delete clauses g, l, m, n, o, p and t.
- Under Section 3, Meetings Generally, clause c, delete the optional paragraph after “or.” Consideration of Clause l was deferred to later in the meeting.

- Under Section 9, Motions for a meeting that require written notice to be given to the Proper Officer, to delete clauses b-h of section 9 as they do not reflect the Council's practice.
- Under Section 13, Code of Conduct and Dispensations, delete clause c.
- Under Section 15, Proper Officer, the Clerk's advice is to be sought in relation to Clause xvi.
- Under Section 18, Financial Controls, Clause D – delete.
- Section 19, Handling staff matters, requires simplification. The Clerk is to be asked to go through this item and draft a simplified version that applies to the Parish Council.
- Section 20, Responsibilities to provide information, clarification is to be sought from NALC.
- Section 23, Execution of sealing of legal deeds, clarification to be sought from the Clerk regarding the Common Seal.
- Section 26, Standing Orders generally, a recommendation to consider whether the Parish Council is prepared to accept the practice of a Minutes Secretary attending the meetings in place of the Clerk. This was deferred to the next meeting.
- Section 1, Rules of Debate, clause 1, recommendation that a person speaking should raise their hand but not stand to speak; the Chair may ask them to stand but if they are unable, they may sit.

RESOLVED that the above recommendations be accepted and items deferred to the next meeting where specified above. (Prop MC, 2nd AG, unanimous)

At 8.07 pm on a proposition by the Chairman the meeting was suspended to allow members of the public to comment. The meeting resumed at 8.10 pm.

RESOLVED that consideration of financial regulations, risk assessment and other policies be deferred to the next meeting.

5.4 (15) Consideration of the Council's membership of other bodies

RESOLVED that the Parish Council's membership of CAPALC and the Community Association should continue. (Prop SR, 2nd AG, unanimous)

5.5 (19) Consideration of holding meetings at other times

Cllr Cassey spoke to his suggestion for holding Parish Council meetings at other times such as on Saturdays during the Pippins Coffee Morning or at weekends.

RESOLVED to seek the Clerk's advice on the procedure for holding Parish Council meetings at other times and to defer this item to the next meeting.

5.6 (26.2) To consider report and recommendation of the Community Centre Working Group and the request that the Parish Council takes out a loan

RESOLVED to defer this item to a future meeting. Cllr Rose will report generally under item 8.1.

5.7 (29.3) Hill – offer of transfer of public open space

RESOLVED to accept the recommendation of James Fisher of SCDC that the Parish Council leaves it to a later date before considering whether the Parish Council wishes to adopt and take on the maintenance of the LEAP and the allotments, and to respond that the Council feels it is premature to consider whether to adopt these areas. (Prop SR, 2nd PJ, unanimous)

5.8 (33) The General Power of Competence

RESOLVED to seek the Clerk's advice regarding the requirements for the General Power of Competence as regards the number of elected councillors and the

qualifications of the Clerk. Cllr Cassey offered to distribute information to all members.

At 8.25 pm, on a proposition by the Chairman, it was agreed to vary the order of business to take item 6.7 at this point.

6.7 Cambridge Community Foundation – Hardwick Play Parks Expression of Interest to the Amey Community Foundation for funding towards play equipment in Hardwick

The meeting was briefly suspended to enable Clare McGowan to speak to the request. She outlined the request for the Parish Council to complete Part B of the form and confirm that the Parish Council is the owner of the land and supports the application. The meeting resumed.

RESOLVED that the Chairman be authorised to complete the sections of Part B as required on behalf of the Parish Council, in consultation if necessary with the Parish Clerk, and to submit the application, noting that the equipment is checked by RoSPA annually and is subject to monthly checks by the Parish Council, with repairs carried out as necessary. (Prop SR, 2nd PJ, unanimous)

The Parish Council congratulated the Play Parks committee on their good work.

6. Correspondence/communications received

On a proposition by the Chairman it was agreed to take items 6.1 and 6.2 together.

6.1 Resident – recommendation that the area on the far side of the recreation ground under the trees was to be cut once a month to improve the area and prevent small tree re-growth and

6.2 Herts and Cambs Ground Maintenance – termination of grass cutting contract – to consider how the remaining period be covered

RESOLVED to note that the Chairman in conjunction with the Clerk had contracted CGM for four weeks for the grass cutting, following the termination of the contract by Herts and Cambs Ground Maintenance without explanation.

RESOLVED having considered the quotation from CGM to accept the CGM quote and extend the contract to the end of 2018, but to stipulate that strimming around the Church Play area, which did not appear to have been carried out, forms part of the contract and must be included. (Prop AG, 2nd PJ, unanimous)

RESOLVED with regard to the grass cutting contract from 2018 onwards, to inform CGM that the Parish Council will be commencing the tender process for 2019 – 20 later in the year and would very much like them to tender at that time.

Consideration was briefly given to the possibility of recourse. The advice from CAPALC was noted.

6.3 WI – request for bulb planting

RESOLVED to respond that the Parish Council has no objections in principle but would like them to provide a planting plan. (Prop SR, 2nd AG, unanimous)

6.4 Village Plan committee request for additional funding

Cllr Cassey, having previously declared an interest in this item, left the meeting at 9.05 pm.

RESOLVED to approve the request for funding of £500.00 for the renewal of Survey Monkey and other expenses, and to ask the Village Plan Committee to provide the results of the survey. (Prop SR, 2nd AG, unanimous)

Cllr Cassey re-joined the meeting at 9.10 pm.

6.5 CCC Local Highways Improvement Scheme 2018-2019 – Invitation to bid

At 9.15 pm, on a proposition by the Chairman, the meeting was briefly suspended to enable a resident to speak. The meeting re-opened at 9.23 pm.

On a proposition by the Chairman, it was agreed to vary the order of business to include item 8.2 along with consideration of the LHI scheme.

- 8.2 Proposal that the Council considers the installation of electronic speed signs  
RESOLVED that Cllr Joslin be appointed to request a time extension from CCC and to request a free survey from the supplier to establish where in the village an electronic speed sign would be most effective. (Prop PJ, 2nd DW, unanimous)
- 6.6 Residents – dead trees in woodland behind Sudeley Grove – to consider recommendation and quotations if received  
RESOLVED, having considered two quotations, to seek revised quotations for the removal of the trees without inclusion of the bramble removal.
- 6.7 Cambridge Community Foundation – Hardwick Play Parks Expression of Interest to the Amey Community Foundation for funding towards play equipment in Hardwick  
Taken earlier.
- 6.8 Cambridgeshire Police – Hardwick Anti-Social Behaviour Plan and to consider complaint from the Scouts for vandalism to the Scout Hut  
RESOLVED to note that the Parish Council had put in place litter picking to clear the area and that the tarpaulin and picnic table had been removed. The PCSO had reported that their patrols had been increased.  
RESOLVED, given that the Parish Council felt that it had done all it could and was not responsible for the vandalism, to respond to the Scouts that the Parish Council is sympathetic with regard to the problem of vandalism, but is unable to assist them with the costs of repair. (Prop AG, 2nd DW, unanimous)
- 6.9 Resident – Request to purchase strip of land on green area adjacent to 96 Limes Road  
RESOLVED, given that it is not the Parish Council's practice to sell off Council owned land, and that this would be encroaching on recreational land, to respond to the resident that the Council does not wish to sell off council owned land. (Prop AG, 2nd MC, unanimous)
- 7. Planning Applications and Decision notices and tree works applications**
- 7.1 Planning applications received since the last meeting  
On a proposition by the Chairman, the order of business was varied.
- 7.1.2 S/1719/18/FL – Plot of land behind St Mary's Church, off Main Street Hardwick and adjacent to the Rectory and The Old School House (48) – Church Hall – to note response made between meetings – The Parish Council supported the application.  
Noted.
- 7.1.1 S/1705/18/FL – Land adj to 3 Lark Rise – Proposed dwelling  
The Consultation deadline had already passed.
- 7.1.3 S/2038/18/DC – Agricultural field west of Grace Crescent – Discharge of condition 14 (Travel plan) of planning permission S/1694/16/OL  
Permission already granted by SCDC.
- 7.1.4 S/2037/18/DC - Agricultural field west of Grace Crescent – Discharge of condition 19 (External lighting) of planning permission S/1694/16/OL  
Permission already granted by SCDC.
- 7.1.5 S/2036/18/DC - Agricultural field west of Grace Crescent – Discharge of condition 29 (Electronic vehicle charging) of planning permission S/1694/16/OL  
Permission already granted by SCDC.
- 7.1.7 S/2404/18/FL – 27 Laxton Avenue – Two storey side and rear extension  
RESOLVED that the Parish Council supports the application. (Prop AG, 2nd PJ, unanimous)

- 7.1.10 S/2580/18/FL – 31 Cambridge Road – Two storey rear extension and front dormer  
RESOLVED that the Parish Council supports the application. (Prop AG, 2nd PJ, unanimous)
- 7.1.6 S/2311/18/FL – Land at St Neots Road, Dry Drayton – New access  
It was noted that this application was in Dry Drayton Parish but the Parish Council wished to comment in view of the impact on Hardwick.  
RESOLVED to respond that the Parish Council objects to the application as it will create more traffic movements in the area, bring more traffic onto the A1303, and set a precedent to make the area more built up, as there will be more hardstanding in place, and this is not an industrial area. (Prop PJ, 2nd AG, unanimous)  
RESOLVED to ask SCDC that the Parish Council should be notified of any planning applications in the area between the St Neots Road roundabout and the Caldecote roundabout, as they would have an impact on Hardwick, especially from the point of view of traffic.
- 7.1.8 S/2429/18/DC – Agricultural field west of Grace Crescent – Discharge of condition 2 (Materials) of Reserved Matters application S/4551/17/R  
Noted.
- 7.1.9 S/2567/18/DC – 2 Laxton Avenue – Discharge of condition 9 (Foul water drainage) and 10 (Surface water drainage)  
Noted.
- 7.2 SCDC Decision Notices
- 7.2.1 S/0323/18/FL – 3 Laxton Avenue – Change of use from residential to a mixed use of residential and childminding business – Permission granted.  
Noted.
- 7.2.2 S/1067/18/LB – 26 Main Street – New rear extension and work around existing bread oven – Permission granted.  
Noted.
- 7.2.3 S/1138/18/FL – 32 Main Street – Change of use of part of the building from residential annex to D1 use. Demolition of store room – Permission granted.  
Noted.
- 7.2.4 S/1189/18/FL – 9 Merton Walk – Single storey front extension – Permission granted.  
Noted.
- 7.2.5 S/1256/18/FL – 175 St Neots Road – Change of use of part of commercial unit from A1 pet store to D2 gym/personal and small group fitness training business – Permission granted.  
Noted.
- 7.2.6 S/1397/18/DC – 68 Limes Road – Discharge of condition 4 (Surface and foul water drainage) of planning permission S/4409/17/DC – Permission granted.  
Noted.
- 7.2.7 S/4551/17/RM – Agricultural field west of Grace Crescent – Application for approval of reserved matters for layout, scale, appearance and landscaping (not EIA) for the erection of up to 98 dwellings and associated works following outline planning permission S/1694/16/OL – Permission granted.  
Noted.
- 7.2.8 S/1042/18/DC – Agricultural field west of Grace Crescent – Discharge of condition 23 (Fire hydrants) of planning permission S/1694/16/OL – Permission granted.  
Noted.
- 7.2.9 S/1043/18/DC - Agricultural field west of Grace Crescent – Discharge of condition 28 (Archaeological work) of planning permission S/1694/16/OL – Permission granted.  
Noted.

- 7.2.10 S/1044/18/DC - Agricultural field west of Grace Crescent – Discharge of conditions 11 (Renewable energy) and 13 (Noise impact assessment) of planning permission S/1694/16/OL – Permission granted.  
Noted.
- 7.2.11 S/1045/18/DC - Agricultural field west of Grace Crescent – Discharge of condition 8 (Contamination and remediation) of planning permission S/1694/16/OL – Permission granted.  
Noted.
- 7.2.12 S/1046/18/DC - Agricultural field west of Grace Crescent – Discharge of conditions 7 (Tree protection) and 32 (Badger activity) of planning permission S/1694/16/OL – Permission granted.  
Noted.
- 7.2.13 S/1443/18/DC - Agricultural field west of Grace Crescent – Discharge of conditions 10 (Foul water drainage) and 12 (Surface water drainage) of planning permission S/1694/16/OL – Permission granted.  
Noted.
- 7.2.14 S/1746/18/DC – Agricultural field west of Grace Crescent – Discharge of condition 20 (waste management) of planning permission S/1694/16/OL – Permission granted.  
Noted.
- 7.2.15 S/1794/18/DC – Agricultural field west of Grace Crescent – Discharge of condition 9 (Construction phasing programme) of planning permission S/1694/16/OL – Permission granted.  
Noted.
- 7.2.16 S/1481/18/FL – 303 St Neots Road – Rear extension (following removal of existing conservatory) including raising roof height – Permission granted.  
Noted.
- 7.2.17 S/1693/18/DC – 26 Main Street – Discharge of Condition 4 (Works schedule) of Listed Building consent reference S/1067/17/LB – Permission granted.  
Noted.
- 7.2.18 S/1301/18/FL – 6 Portway Road – Proposed front extension and garage conversion – Permission granted.  
Noted.
- 7.3 Tree Works Applications
- 7.3.1 S/2388/18/TC – Blue Lion, 74 Main Street  
Already approved by SCDC.

## **8. Members reports and items for information only**

### **8.1 New Housing Developments and Planning Obligations**

Cllr Rose reported on a meeting between the Community Centre Working Group and the Scout and Guide Hut Committee to explore the possibility of the Scouts and Guides surrendering their lease, to enable the new Community Centre to be built on the skate park and the site of the Scout and Guide Hut. It had seemed evident that the Scouts and Guides did not really wish to give up the facilities they presently enjoyed, and that proposal was therefore not likely to proceed.

Following visits to the Melbourn Hub, and previously the Gamlingay Eco Hub, the Working Group had asked the new Planning Officer to visit the site and update the report received 18 months ago from David Thompson listing the options for the proposed location. Cllr Rose suggested that when the Planning Officer had taken a look and given advice, the next step would be to obtain outline plans from architects and commence discussions with the village.

Cllr Rose outlined the timescale for the receipt of the S106 money, with the first tranche of £150,000 due after the first property was occupied, and the last two years later. It was suggested that the Parish Council should look into the possibility of a bridging loan and Cllr Rose undertook to look into loans from the Public Works Loan Board. Citing the experience of other councils, he felt there could be some potential flexibility in the amount that could be borrowed.

The Reserved Matters planning application for the St Neots Road development was still awaited.

Consideration of cutting back the overgrowth on the hedgerow adjacent to the Pavilion while preserving the protected trees is to be an agenda item for the next meeting. Cllr Rose will ask the Planning Officer if he can be present when she carries out the site visit.

8.2 Proposal that the Council considers the installation of electronic speed signs

Taken earlier.

8.3 Proposal that the Council considers requesting a map from CCC with a view to registering the old access route adjacent to Meridian Close on the definitive map

RESOLVED to request the relevant section of the 1926 Ordnance Survey map from James Stringer at the County Council. (Prop PJ, 2nd AG, unanimous)

8.4 Proposal that the Council clears all the brambles from the woodland to the rear of Sudeley Grove

RESOLVED to defer this matter to the next meeting to enable members to take a look at the area.

8.5 Proposal that the Council expresses an interest in undertaking a Village Design Statement

RESOLVED, in view of the short time available, not to proceed at this time.

9. **Finance, procedure and risk assessment**

9.1 To consider any quotes for urgent work required because of risk and Clerk's use of delegated powers

RESOLVED to note that the Clerk had used her delegated powers to:

- Book Cllr Cassey onto LCPAS training at a cost of £35.00. (June)
- The Clerk together with the Chairman used delegated powers to issue a grass cutting contract for four weeks.
- Used delegated powers between meetings to respond on the following planning application:  
S/1719/18/FL – Plot of land behind St Mary's Church, off Main Street Hardwick and adjacent to the Rectory and The Old School House (48) – Church Hall - The Parish Council supported the application unanimously.
- Contract Dyno-Rod to attend the Pavilion to unblock the drains.

9.2 To receive play areas and skate park inspection reports

RESOLVED to receive the reports for the Skate Park, Worcester Avenue and Grenadier Walk play areas, and to note that no action was considered necessary at this time.

Cllr Wellbelove gave a verbal report on the Egremont Road play area. RESOLVED to ask RPM to attend to the rubber surfacing around the tractor where a gap had formed.

RESOLVED, in view of the lateness of the hour, to defer items 9.4 and 9.5 to the next meeting.

9.3 To receive the financial report and approve the payment of bills

RESOLVED that the payments as listed in the finance report should be paid, plus Dyno Rod (Pavilion drains) £156.00, <sup>(Prop PJ, 2nd AG, unanimous)</sup> except for the outstanding payment in favour of Herts and Cambs Ground Maintenance for £1350.00, which is to be placed on hold for the time being on the basis that by having to take on a new contractor the Council has suffered financially. <sup>(Prop SR, 2nd DW, unanimous)</sup>

LCPAS (Internal audit)	£200.00
LCPAS (Training)	£40.00
LCPAS (DPO)	£150.00
Complete Weed Control (Weed treatment)	£480.00
LGS Services (Admin support)	£1387.94
SCDC (Election fees)	£135.00
LGS Services (Admin support)	£1370.49
HMRC (PAYE)	£135.40
Salary	£135.72
Salary	£90.36
Playsafety Ltd (Play inspection)	£399.00
Hardwick Play Parks (S137)	£250.00
Hardwick Pre-School (S137)	£250.00
Hardwick Rainbows (S137)	£250.00
Hardwick Mothers and Toddlers (S137)	£250.00
Salary	£90.36
Salary	£135.72
NEST (Pension) (DD)	£166.75

Credits, including bank interest and rent received, were noted.

9.4 To consider the RoSPA reports

Deferred to the next meeting.

9.5 Appointment of Internal Auditor for FY2019

Deferred to the next meeting.

9.6 August meeting – change of venue to The Pavilion

RESOLVED to note the change of venue for the meeting on 28 August as the School is unavailable.

**10. Members' items for the next agenda and for the Clerk's information and Closure of meeting**

The removal of the overgrowth on the eastern side of the hedge to the south of the Pavilion (on the other side of the car park) is to be an agenda item for the next meeting.

A proposal for delegating authority to the Clerk for expenditure on legal action to prevent illegal encampments is to be an agenda item for the next meeting.

A proposal was made to invite Aidan Van De Weyer (deputy to Bridget Smith) to a future meeting to talk to the Parish Council about an independent access from Bourn Airfield onto the A428. RESOLVED to wait until the Local Plan has been agreed.

Cllr Gill reported on an invitation to attend a meeting on Thursday in Cambourne regarding the Cambridge to Oxford expressway. He was asked to raise the issue of the narrowing of the A428 at Girton.

There was no further business and the meeting closed at 11.00 pm.

Signed .....Chairman .....date.



## Information available from HARDWICK Parish Council under the Freedom of Information Act model publication scheme

This Parish Council will endeavour to make as much information as possible available under this scheme however, on occasion other Acts such as the Data Protection Act or the exemptions in the Freedom of Information Act have to be considered prior to information being released and sometimes it may be necessary for information to be withheld or redacted

Information to be published	How the information can be obtained	Cost
<b>Class1 - Who we are and what we do</b> (Organisational information, structures, locations and contacts)  This will be current information only		See table of fees below
Who's who on the Council and its Committees	hard copy (all) noticeboard (Council) website (Council)	
Contact details for Parish Clerk and Council members (named contacts where possible with telephone number and email address (if used))	hard copy (all) website	
Location of main Council office and accessibility details	Website and noticeboard	
Staffing structure	Hardcopy	
<b>Class 2 – What we spend and how we spend it</b> (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit)  Current and previous financial year as a minimum	Hard copy	
Annual return form and report by auditor	Hardcopy	
Finalised budget	Hardcopy	

Precept	Hardcopy	
Borrowing Approval letter	Xxx	
Financial Standing Orders and Regulations	Hardcopy	
Grants given and received	Hardcopy	
List of current contracts awarded and value of contract	Hardcopy	
Members' allowances and expenses	Hardcopy	
<b>Class 3 – What our priorities are and how we are doing</b> (Strategies and plans, performance indicators, audits, inspections and reviews)		
Parish Plan (current and previous year as a minimum)	Hardcopy	
Annual Report to Parish or Community Meeting (current and previous year as a minimum)	Hardcopy	
Quality status	Xxx	
Local charters drawn up in accordance with DCLG guidelines	Xxx	
<b>Class 4 – How we make decisions</b> (Decision making processes and records of decisions) Current and previous council year as a minimum		
Timetable of meetings (Council, any committee/sub-committee meetings and parish meetings)	Hardcopy	
Agendas of meetings (as above)	Hardcopy (all)	
Minutes of meetings (as above) – nb this will exclude information that is properly regarded as private to the meeting.	Hardcopy and website	
Reports presented to council meetings - nb this will exclude information that is properly regarded as private to the meeting.	Hardcopy	
Responses to consultation papers	Hardcopy	
Responses to planning applications (exclusions copies of planning consultations, the Development plan, Local Plan, Public Rights of Way maps which are available from either the District or County Council)	Hardcopy	

Bye-laws (None specifically published by the Parish Council but Dog fouling byelaws for public open spaces available via the District Council)	Xxx	
<b>Class 5 – Our policies and procedures</b> (Current written protocols, policies and procedures for delivering our services and responsibilities)  Current information only		
Policies and procedures for the conduct of council business:  Procedural standing orders Committee and sub-committee terms of reference Delegated authority in respect of officers Code of Conduct Policy statements	Hardcopy	
Policies and procedures for the provision of services and about the employment of staff: (Exclusions – personal records of staff i.e. appraisals, employee specific details, disciplinary records, sickness records and the like being protected under the Data Protection Act) Internal policies relating to the delivery of services Equality and diversity policy (Equal opportunities and Race relations) Health and safety policy Recruitment policies (including current vacancies) Policies and procedures for handling requests for information Complaints procedures (including those covering requests for information and operating the publication scheme)	Hardcopy	
Information security policy	Hardcopy	
Records management policies (records retention, destruction and archive)	Hardcopy	
Data protection policies	Hardcopy	
Schedule of charges (for the publication of information)	Hardcopy	

<b>Class 6 – Lists and Registers</b> Currently maintained lists and registers only	(hard copy or website; some information may only be available by inspection)	
Any publicly available register or list (if any are held this should be publicised; in most circumstances existing access provisions will suffice)		
Assets Register (including details of commons/village greens and other lands owned by or leased to the parish Council)	Hardcopy	
Disclosure log (indicating the information that has been provided in response to requests; recommended as good practice, but may not be held by parish councils)	Hardcopy	
Register of members' interests	Available for public inspection	
Register of gifts and hospitality	Public inspection	
<b>Class 7 – The services we offer</b> (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses) Current information only	(hard copy or website; some information may only be available by inspection)	
Allotments (Exclusions – individual tenancy agreements and rent payment records both under privacy and data protection laws)	Hardcopy	
Burial grounds and closed churchyards (location, plans and general policies only. All documentation relating to individual applications and registrations both under privacy and data protection laws)	Hardcopy	
Community centres and village halls	Website	
Parks, playing fields and recreational facilities	Website	
Seating, litter bins, clocks, memorials and lighting	Hardcopy	
Bus shelters	Xxx	
Markets	Xxx	
Public conveniences	Xxx	
Agency agreements	Hardcopy	
A summary of services for which the council is entitled to recover a fee, together with those fees (e.g. burial fees)	Hardcopy	

<b>Additional Information</b> This will provide Councils with the opportunity to publish information that is not itemised in the lists above		
Risk assessment Policy	Hardcopy	
Declaration of acceptance of office (members and Chairman) e.g. quotations before Council decision, loan documents and insurance policies.	By inspection	
Analysis of responses received to public consultations	Hardcopy	
Arts, entertainment and tourism information (This relates to information produced by the Parish Council only)	Hardcopy	
Best Value Plan and review (information which encompasses the duty owed by a Parish Council to the local people, to provide good quality of services and to marshal such services across its entire area)	Xxx	

**Contact details:** Mrs Gail Stoeher, Clerk, Hardwick Parish Council, 30 West Drive, Highfields Caldecote, Cambs, CB23 7NY  
Tel & Fax: 01954 210241 email: Hardwickpc@lgs-services.co.uk

## SCHEDULE OF CHARGES

This describes how the charges have been arrived at and is published as part of the guide.

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
<b>Disbursement cost</b>	Photocopying @ 10p per A4 sheet (black & white)	Actual cost *
	Photocopying @ 20p per sheet A4 (colour)	Actual cost
	Postage	Actual cost of Royal Mail standard 2 <sup>nd</sup> class
	Electronic copies by email	Free
<b>Statutory Fee</b>		In accordance with the relevant legislation (quote the actual statute)
<b>Other</b>		

\* the actual cost incurred by the public authority

Xxx not applicable to the Parish Council at the present time

# 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

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# 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 eligible<sup>1</sup> 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 things<sup>2</sup>:

- 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.<sup>3</sup>

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

<sup>1</sup> 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).

<sup>2</sup> 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>

<sup>3</sup> 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 2009<sup>4</sup>.

## 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](http://www.local.gov.uk/localism-act)

<sup>4</sup> 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](http://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 GPC<sup>5</sup>.

<sup>5</sup> 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](http://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](http://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](http://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 provision<sup>6</sup>. 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.

<sup>6</sup> 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.







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## BRIEFING PAPER

Number 05687, 9 March 2016

# The General Power of Competence

By Mark Sandford

Inside:

1. Background
2. The Localism Act 2011: the general power
3. Use and impact
4. Scotland, Wales and Northern Ireland



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## Summary

The general power of competence is a new power available to local authorities in England to do “anything that individuals generally may do”. It was provided for in the *Localism Act 2011* and replaces the well-being powers in the *Local Government Act 2000*. It was brought into force for local authorities on 18 February 2012.

The power extends to England only. Scottish and Welsh local authorities have a general ‘well-being’ power, equivalent to the one in the *Local Government Act 2000*. The Welsh Government plans to introduce a general power of competence for its local authorities. The Northern Ireland Executive did so in 2014.

This note gives information on the policy background to the new power, and looks at some of the issues relating to its introduction, including the ‘prayers case’ at Bideford Town Council and the ‘LAML case’ regarding the well-being power in the 2000 Act.

# 1. Background

## 1.1 Local authority powers

Historically, local authorities in the UK were permitted only to do things that they had specific statutory powers to do. If an authority did something that it had no specific statutory power to do, this would be deemed *ultra vires* – illegal, and hence void. This has long been regarded as a limitation on the powers of local authorities to act in the interests of their electorate. The idea of removing this limitation by introducing some form of ‘general power of competence’ for local authorities can be dated back at least to the report of the Maud Committee on Management in Local Government in 1967:

*ultra vires* as it operates at present has a deleterious effect on local government because of the narrowness of the legislation governing local authorities’ activities. The specific nature of legislation discourages enterprise, handicaps development, robs the community of services which the local authority may render, and encourages too rigorous oversight by central government. It contributes excessive concern over legalities and fosters the ideas that the clerk should be a lawyer.<sup>1</sup>

Section 111 of the *Local Government Act 1972* gave local authorities the power to do anything “which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions”. In using this power, authorities would need to identify which of their functions an activity was ‘incidental’ to. Case law limited the degree to which functions could be justified on the basis that they were incidental to activities that were themselves incidental to local authorities’ functions.<sup>2</sup>

## 1.2 The well-being power

A proposal for a general power of competence formed part of the 1983 Labour Party election manifesto:

... we will expand the scope for local democracy. Instead of local councillors never being completely sure what is permitted and what is *ultra vires*, we shall give a power of general competence to all local authorities to carry out whatever activities are not expressly forbidden by statute.<sup>3</sup>

Part 1 of the [Local Government Act 2000](#) introduced a power for local authorities in England and Wales to promote the economic, social and environmental well-being of their area. A similar power was introduced in section 20 of the [Local Government in Scotland Act 2003](#).

This power was described as the ‘well-being power’ rather than a general power of competence, but evidence suggests that it was used only occasionally by local authorities. Some examples of the use made

<sup>1</sup> HMSO, Management of Local Government (Maud Committee), 1967, para 283.

<sup>2</sup> See [McCarthy & Stone \(Developments\) Ltd. v Richmond upon Thames LBC \[1992\] 2 AC 48](#), in which the judge held that charging for pre-planning application advice to a developer was “at best, incidental to the incidental and not incidental to the discharge of the functions” – and therefore unlawful.

<sup>3</sup> [The new hope for Britain](#), Labour Party Manifesto, 1983,

of the power are given in the 2008 DCLG report [Practical Use of the Well-being Power](#). An evaluation report for DCLG in 2008 said:

Use of the Well-Being Power remained limited over the life of the evaluation as local authorities had a tendency to use more specific powers to achieve their goals. Early uses of the Power tended to emphasise economic and environmental goals. Social uses emerged later. There was no evidence of local authorities balancing the economic, social and environmental impacts and outcomes of a decision to use of the Well-Being Power in line with sustainable development principles.<sup>4</sup>

The report also noted that “lawyers played a critical role in encouraging or discouraging use” of the power,<sup>5</sup> and the general concern shown by many local authorities on the use of the power was highlighted by the then Minister, John Healey, who felt that local government was not making full use of the powers that it had.<sup>6</sup>

A 2009 report from the Communities and Local Government Committee recommended the introduction of a general power of competence if local authorities could show that they were unable to use the available well-being powers effectively:

We have considerable sympathy with the case for local government to be given a power of general competence, to provide greater recognition of the local leadership role that central government is asking it to play, and which we support. If local government is able to accumulate evidence that the well-being powers are falling short of a power of general competence to the extent that they are impeding its local leadership role, then we recommend that the Government should introduce a power of general competence for local government.<sup>7</sup>

### 1.3 The LAML case

The outcome of the 2008 case of [R \(ex parte Risk Management Partners Limited\) v LB Brent](#) (‘the LAML case’)<sup>8</sup> was a significant catalyst of demand to replace the well-being power with a more clearly-drawn general power of competence.

Brent, Harrow and other London boroughs used the well-being power to establish a mutual insurance company (London Authorities Mutual Limited - LAML). A judicial review of this decision was brought by Risk Management Partners, a potential alternative insurance supplier. The judge held that the boroughs could not use the well-being power to enter into this kind of joint arrangement. Although sections 34-35 of the [Local Democracy, Economic Development and Construction Act 2009](#) subsequently brought in a power to establish mutual insurance

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<sup>4</sup> Department for Communities and Local Government, [Evaluation of the take-up and use of the well-being power](#), 2008, p. 1

<sup>5</sup> Ibid., p. 2

<sup>6</sup> Communities and Local Government Committee - Sixth Report, [The Balance of Power: Central and Local Government](#), HC 33, 2008-09

<sup>7</sup> Communities and Local Government Committee - Sixth Report, [The Balance of Power: Central and Local Government](#), HC 33, 2008-09, p30

<sup>8</sup> 2008 EWHC 692 (Admin). A number of additional facets of the case were addressed in subsequent judgments.



companies, thus remedying the specific point at issue, the case had a discouraging effect on use of the well-being power:

At a time of recession and public spending pressures, where it is vital councils have the confidence to innovate, the LAML judgment seriously undermined council confidence in the well being power as a wide, general power of first resort.

....

Although the well being power has encouraged some councils to introduce new activities, there has been uncertainty about its exact scope. This concern has been very much amplified by the recent judgement. This has increased interest in the idea of a power of general competence for local government, which would be broader and create greater certainty.<sup>9</sup>

The impact assessment for the general power of competence, in 2011, stated:

Although there is a lack of recent information on precise take up, the message from local authority representative groups is that there has been a loss of confidence in the existing well-being provisions following the London Authorities Mutual Ltd case. It was this loss in confidence that has prompted calls for a general power of competence by the Local Government Association among others.<sup>10</sup>

## 1.4 Proposals for a general power of competence

The Conservative Party's 2009 paper on local government, *Control shift: returning power to local communities*,<sup>11</sup> included a commitment to introduce a general power of competence:

...We will ... introduce a new general power of competence which gives local authorities an explicit freedom to act in the best interests of their voters, unhindered by the absence of specific legislation supporting their actions. No action – except raising taxes, which requires specific parliamentary approval – will any longer be 'beyond the powers' of local government in England, unless the local authority is prevented from taking that action by the common law, specific legislation or statutory guidance.

We will give the general power of competence real meaning by allowing councils specifically to:

- carry out any lawful activity;
- undertake any lawful works;
- operate any lawful business; and
- enter into any lawful transaction.

In addition, we will ensure that all these actions can be taken at the lowest possible level (i.e. by the councils nearest to the

<sup>9</sup> "Arming local government", [Local Government Lawyer](#), 30 March 2010

<sup>10</sup> DCLG, [Localism Bill: general power of competence for local authorities Impact assessment](#), January 2011, p.13

<sup>11</sup> Conservative Party, [Control Shift: returning power to local communities](#), 2009, p.13

## 7 The General Power of Competence

citizens) by including town and parish councils within the categories of local authority that are given the new power.<sup>12</sup>

The commitment was included in the Coalition's programme for government in 2010.<sup>13</sup> The Local Government Association had already published a draft *Local Government (Power of General Competence) Bill* in March 2010.<sup>14</sup> The draft Bill sought to advance understanding of how a general power of competence would best be expressed in law, and whether such a power could be established in law in a way which could over-ride other legislation which conflicts with it.<sup>15</sup>

The 2010 New Local Government Network report *Going Nuclear? A Power of General Competence* suggested that the concept of *ultra vires* could be abolished altogether, though it acknowledged that this might be a step too far for the Government to contemplate.<sup>16</sup> It includes a number of suggested uses for a general power of competence, and a set of proposed provisions (in advance of the publication of the *Localism Bill*).

David Wilson and Chris Game have commented that giving the general power of competence to local authorities introduces into the UK a power that is available to local authorities in many other European countries:

Many countries do have something legitimately describable as local self-government, especially those formed historically by the coming together of several small communities, for mutual help and support – for example, Switzerland, the Netherlands, Italy and the Scandinavian countries. Local councils of municipalities in such countries have, on average much smaller populations than do UK local authorities. Yet they have something British councils historically have not had: a power of general competence.<sup>17</sup>

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<sup>12</sup> Ibid., pp.13-14

<sup>13</sup> [The Coalition: our programme for Government](#), HM Government, May 2010, p.12

<sup>14</sup> See NLGN, [Going Nuclear? A Power of General Competence for local government](#), 2010, p.39

<sup>15</sup> Literature in the run-up to the Bill occasionally referred to a 'power of general competence' rather than a 'general power of competence'. Although the two phrases could be interpreted differently, there was no point at which they were used in opposition to one another or to refer to different concepts.

<sup>16</sup> NLGN, [Going Nuclear? A Power of General Competence for local government](#), 2010, p.26

<sup>17</sup> David Wilson and Chris Game, *Local Government in the United Kingdom*, Palgrave Macmillan, 5<sup>th</sup> ed., 2011, pp31-2



## 2. The Localism Act 2011: the general power

Part 1 of the Localism Act applies a general power of competence to local authorities in England. The power does not extend to Wales, Scotland or Northern Ireland. The well-being power in the *Local Government Act 2000* was repealed with respect to England, but is still in force in Wales.

Section 1 (1) of the Act provides that “a local authority has power to do anything that individuals generally may do”. The power extends to county councils in England, district councils, London borough councils, the Common Council of the City of London, the Council of the Isles of Scilly and ‘eligible’ parish councils. An ‘eligible’ parish council is one in which at least two-thirds of the members have been elected (i.e. not co-opted), and in which the clerk has completed one of a specified range of training courses.<sup>18</sup>

The power does not permit local authorities to do anything that is specifically prohibited in legislation (a ‘pre-commencement limitation’), to raise taxes, or to alter the political management structure of the authority (i.e. to a cabinet system or a committee system). Under section 3, commercial activities may be undertaken (in line with the powers under sections 93 and 95 of the *Local Government Act 2003*) but this must be done through a company. Authorities cannot trade in services that they already have a statutory requirement to provide.

Section 5 gives a broad power to the Secretary of State to remove or change any statutory provisions that prevent or restrict the use of the general power, and to remove similar provisions that overlap with the general power. The clause also allows the Secretary of State to restrict what local authorities can do under the general power, or to provide conditions under which the power can be used. These powers can only be used following consultation (unless the power is used to amend a previous order under this clause) and any orders made under the this clause will be subject to the legislative reform order procedure, which allows Parliament to decide whether the procedure for the order should be negative, affirmative or super-affirmative.

### 2.1 Authorities covered by the power

Section 8 gives the Secretary of State the power to extend the provision to eligible parish councils. Sections 9 and 10 insert new sections into the [Fire and Rescue Services Act 2004](#). Section 9 provides a general power of competence to fire and rescue authorities when in pursuance of their statutory duties. Section 10 allows fire and rescue authorities to charge for services, but with a number of restrictions: for example, the authority must consult before deciding on any such charges; the charges must not exceed the cost to the authority of the action they are

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<sup>18</sup> See the [Parish Councils \(General Power of Competence\) \(Prescribed Conditions\) Order 2012](#) (SI 2012/965).

taking; and charges cannot be imposed for extinguishing fires except at sea.

Section 11 provides the general power to integrated transport authorities, and section 12 to passenger transport executives.

Economic prosperity boards and combined authorities hold a version of the general power under section 13 of the 2011 Act: it allows them to exercise a general power in relation to their functions, or matters incidental to their functions. The broader provisions in the 2011 Act may be extended to individual combined authorities by order, under section 10 of the [Cities and Local Government Devolution Act 2016](#): this would allow combined authorities to do “anything that individuals generally may do”. The combined authority’s member authorities must consent to such an order.

At present, the combined authorities in Greater Manchester, Liverpool City Region and the West Midlands hold a general power in relation to their functions, referred to by the Government as a “functional power of competence”. Cambridgeshire & Peterborough, and West of England, have a general power of competence.

The 2016 Act also provides a similar power for English national park authorities, allowing each of them to do “anything it considers appropriate for the purposes of the carrying out of any of its functions”.<sup>19</sup>

The Greater London Authority has a power to do anything to promote economic development, social development or the protection of the environment within London, provided in section 30 of the *Greater London Authority Act 1999*.

### 2.2 Restrictions on the power

The power does not allow local authorities to raise tax, nor does it expand authorities’ powers to make byelaws. It will also continue to be necessary for local authorities to continue to check for pre- or post-commencement limitations, i.e. activities which are specifically prohibited in statute. These cannot be overridden with the general power of competence.

Questions have also been raised about the availability of the power to trade – which must be done via a company – to parish and town councils:

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.<sup>20</sup>

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<sup>19</sup> *Environment Act 1995*, new section 65A

<sup>20</sup> LGA, [The General Power of Competence: empowering councils to make a difference](#), 2013, p.16

## 3. Use and impact

### 3.1 The extent of the power

The impact assessment, published with the Bill, gives several indications of the direction the power might take:

Our proposals will not provide local authorities with any new power to raise tax or precepts, or to borrow. Neither will the proposals enable councils to set charges for mandatory services, impose fines or create offences or byelaws affecting the rights of others, over and above existing powers to do so. But it will be designed to allow councils to undertake innovative activity to drive efficiency and therefore will result in them – potentially – undertaking activity that presents some risk to the tax payer.

However, local authorities would continue to be obliged to follow the law of the land. As an example; our proposals will not enable local councillors to wage thermonuclear war due to existing preventative legislation including: the Nuclear Materials (Offences) Act 1983, the Nuclear Safeguards Act 2000 and the Environmental Permitting (England and Wales) Regulations 2010.

Finally, local authorities will also still need to abide by all relevant regulatory regimes – such as, for example, those governed by the Financial Services Authority if they were seeking to engage in financial services - as well as the specific rules applied to local government in relation to audit and related financial regimes mentioned above and, where trading is involved, company law. As stated above therefore, we believe that no separate competition or small business assessment is necessary.<sup>21</sup>

### 3.2 Potential impacts

In July 2013, the LGA published a paper entitled [Empowering councils to make a difference](#), giving examples of the use of the general power of competence.<sup>22</sup> The paper suggested that the general power should simplify local government's concerns regarding whether actions are 'incidental to their functions':

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 GPC.<sup>23</sup>

Tim Kerr QC suggested, in a short article, that the general power of competence would not override the general framework of public law within which local government operates:

<sup>21</sup> DCLG, [Localism Bill: general power of competence for local authorities Impact assessment](#), January 2011

<sup>22</sup> See LGA, [General Power of Competence: empowering councils to make a difference – case study annex](#), 2013

<sup>23</sup> LGA, [The General Power of Competence: empowering councils to make a difference](#), 2013, p.12

But the usual public law constraints (rationality, relevant considerations, procedural fairness, disregard of irrelevant considerations) will surely be applied by the courts to exercise of the power of general competence, even though an “individual” in the private sphere is not subject to them. An individual may justify a decision not by appealing to reason but by reference to “the power of intuition, the supra-logic that cuts out all routine processes of thought and leaps straight from problem to answer”. An individual may behave capriciously or fecklessly.

... Local authorities exercising the new general power would not be well advised to emulate such behaviour, nor to rely on intuition when defending any judicial review challenges. The familiar public law constraints are now so firmly embedded in the law that express words would be needed to exclude them and the equation with an “individual” is not itself sufficient to do so: an individual is not invested with heavy statutory responsibilities including stewardship of public funds.<sup>24</sup>

### 3.3 Prayers at council meetings

On 10 February 2012 the High Court ruled that Bideford Town Council were acting unlawfully by allowing prayers to be said at the beginning of formal council meetings. The town council argued that it had authority to hold prayers under section 111 of the *Local Government Act 1972*. The judge ruled that prayers were not a function or incidental to a function of the town council: “the saying of prayers as part of the formal meeting of a Council is not lawful under s111 of the Local Government Act 1972, and there is no statutory power permitting the practice to continue.”<sup>25</sup>

Following the judgment, the general power of competence was brought into force on 18 February 2012, having originally been expected to come into force in April 2012.<sup>26</sup> Sir Merrick Cockell, Chairman of the Local Government Association, said:

It is the LGA's view that this ruling will be overridden by the GPC as soon as the legislation comes into force and that it remains the decision of local authorities if they wish to hold prayers during formal meetings.<sup>27</sup>

The National Secular Society, which brought the original court case, said it was consulting its lawyers as to whether the power would apply. A news release said:

A number of senior lawyers have expressed doubt whether the Localism Act will, as Mr Pickles hopes, make prayers lawful, and the Act was clearly not passed with that express intention. His powers to pass legislation are not, as he implies, untrammelled.

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<sup>24</sup> Tim Kerr QC, *The Localism Bill and the general power of competence*, 2012, p.7-8

<sup>25</sup> The full judgment is available at <http://www.bailii.org/ew/cases/EWHC/Admin/2012/175.html>. See BBC, “*Bideford Town Council prayers ruled unlawful*”, 10 February 2012, for background to the story.

<sup>26</sup> See Local Government Lawyer, “*Pickles fast-tracks general power of competence in bid to overtake prayer ruling*”, 20 February 2012

<sup>27</sup> LGA Media Release, *LGA statement on prayers at council meetings*, 10 February 2012.

Council prayers increasingly look set to become a battle between the Government and the courts at ever higher levels.<sup>28</sup>

The [Local Government \(Religious etc. Observances\) Act 2015](#) provided that local authorities may include in their business time for “prayers or religious observance” or “observance connected with a religious or philosophical belief”.<sup>29</sup> Both the 2012 judgment and the 2015 Act apply to England and Wales.

### 3.4 Local authority trading

Some local authorities have used the provisions within the 2011 Act to set up companies to trade for commercial purposes. Local authorities were already able to do this for certain statutory functions under the *Local Government Act 2003*: a business case had to be approved by full council before this was done. Trading commercially implies local authorities competing on the open market with other commercial providers of services. This has generated some complaints of ‘unfair competition’ from small traders, reflected in a Parliamentary Answer on 9 February 2015:

We have recently received a number of letters from small business owners relating to the selling of memorials referring to the general power of competence.

The legislation only allows local authorities to provide and charge for discretionary services on a cost recovery basis and individuals must agree to that service being provided and choose to pay for it. Charging beyond cost recovery is trading. If a council is doing something for a commercial purpose (i.e. trading) it must be carried out through a company to ensure that the council does not have an unfair tax advantage over businesses. Furthermore a council cannot trade in services that they are required to provide, such as collecting household rubbish.

Local authorities are expected to make best use of resources by trading their expertise and ensuring that such action does not prevent growth of the private sector by distorting competition. Trading powers encourage councils to extend and improve the range of services offered, introduces new players into the market aiding competition, and helps increase the scope to provide business opportunities for the private sector.<sup>30</sup>

In general, local authorities are permitted to set up trading companies for a commercial purpose: there is no prohibition on them competing in the market in this way. They cannot use the general power to provide on a commercial basis statutory services that they are required to provide.

<sup>28</sup> National Secular Society News release, [Council prayers: doubts over Eric Pickles' "general power of competence"](#), 18 February 2012

<sup>29</sup> The 2015 Act inserted new sections into the *Local Government Act 1972*. New section 138A (2) provides that this also applies to a committee, sub-committee or joint committee of a local authority.

<sup>30</sup> [PQ 221563](#), 2014-15

### 3.5 Other uses of the general power

Unlike the well-being power, local authorities are not required to identify a specific benefit for their area when using the general power of competence. Moreover, when taking a decision, authorities may choose to act under the general power rather than under statutory powers. The potential effect of the latter was identified in the following example from the Government:

The Government is aware that some authorities may be using their general power of competence under the Localism Act 2011 to develop new social or affordable housing and accounting for that stock in its General Fund. Accounting for stock in this way is not in line with Government policy and if councils continue to develop social or affordable stock which they fail to account for within the Housing Revenue Account the Secretary of State will consider issuing a direction under section 74 of the Local Government and Housing Act 1989 to bring that stock into the Housing Revenue Account.<sup>31</sup>

The general power (and the well-being power) can be used to spend local authority funds on particular purposes, unless this is prevented by a pre-commencement limitation.<sup>32</sup>

### 3.6 Disapplying legislation to facilitate use of the general power

The powers in the 2011 Act for the Secretary of State to disapply legislation that obstructs a reasonable use of the general power have been used. This was done in 2014 to allow the Tour de France to pass through a particular part of Harrogate Borough Council's area, the Harrogate Stray, the management of which is governed by private legislation. The [\*Harrogate Stray Act 1985 \(Tour de France\) Order 2014\*](#) (SI 2014/1190) disapplied the provisions of the Harrogate Stray Act 1985 for the period of the Tour.

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<sup>31</sup> [HCWS441 2014-15](#), Housing update

<sup>32</sup> See [R v Oxfordshire County Council ex parte Khan \[2004\] EWCA Civ 309 \[2004\] BLGR 257](#), a case in which a pre-commencement limitation prevented financial assistance from being given to an individual.

## 4. Scotland, Wales and Northern Ireland

In Scotland, local authorities have a power to provide for well-being, equivalent to the one introduced for England and Wales in the *Local Government Act 2000*. The relevant legislation is the [\*Local Government in Scotland Act 2003\*](#).

Graham Allen MP introduced amendments to the *Scotland Bill*, passing through Parliament at the time of writing, which would have introduced a general power of competence for Scottish local authorities.<sup>33</sup> The amendments were not agreed.

Wales is currently covered by the well-being power of the 2000 Act. Clauses 23-30 of the draft [\*Local Government \(Wales\) Bill\*](#), published by the Welsh Government in 2015, would provide a general power of competence for Welsh local authorities. The contours of the proposed general power largely reflect the English legislation, although the description of the power itself differs slightly:

23 Local authority's general power of competence

(1) A qualifying local authority has power to do anything that individuals generally may do, even if that thing is, in nature or extent or otherwise—

(a) unlike anything a qualifying local authority may do apart from this section;

(b) unlike anything that other public bodies may do.

The Bill would allow Welsh community councils to exercise the power providing two-thirds of their members had been elected (i.e. not co-opted) and the council clerk held a relevant qualification.

A full Bill is not anticipated before the 2016 Assembly election.

A general power of competence is provided to the new local authorities in Northern Ireland by sections 79-83 of the [\*Local Government Act \(Northern Ireland\) 2014\*](#). Again, the power largely reflects that available in England.

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<sup>33</sup> See [HCDeb 9 Nov 2015](#) c50

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## Local Council Public Advisory Service



### Local Council Internal Audit Report

Year ending: 31<sup>st</sup> March 2018

Name of Council:	Hardwick Parish Council
Income:	£70,919
Expenditure:	£66,546
Precept Figure:	£42,453
General Reserve:	£97,097
Earmarked Reserves:	£40,389

### Annual Return Completion:

Section One:	AGAR section 1 – Annual Governance Statement 2017 – 18 has been completed and signed by Hardwick Parish Council.
Section Two:	AGAR section 2 – accounting statement 2017/18 has been completed and signed by Hardwick Parish Council.
Internal auditor:	The Internal audit has been completed and signed. Note: The guidance notes of AGAR Part 3 state that the authority <b>should</b> receive and note the annual audit report prior to approving the annual governance statement and before approving the accounts.

**The following Internal Audit was carried out on the adequacy of systems of control.**

**The following recommendations/comments have been made:**

**1. Proper Book-Keeping**

**Cash Book, regular reconciliation of books and bank statements, supporting vouchers, invoices and receipts.**

Hardwick Parish Council records their accounts on a receipts and payments basis.

VAT is recorded separately in the accounts.

Payments are made by cheque and direct debit.

The accounts are well kept. Cheque stubs and payments cross – reference with the accounts. Cheque book stubs and invoices have been initialled by two councillors.

Payments were approved at meetings and minuted.

**2. Financial Regulations**

**Standing Orders and Financial Regulations, Tender details and conforming to 2015 Procurement Regulations, appropriate payment controls including acting within the legal framework with reference to council minutes. Identifying VAT Payments and reclamation. Cheque books, paying books and other relevant documents.**

Standing Orders are in place and were updated in May 2013.

Recommendation:

Update the Standing Orders to allow Filming and Recording at meetings, by virtue of Public (admission to meetings) act 1960. Current standing orders state that written consent is required.

Update the Standing Orders to include the procurement regulations – The Public Contracts Regulations 2015

Update Standing Order 26 and fill in the brackets.

Update and review Standing Orders as Model Standing Order have new revisions (we can provide this).

Copy of Financial Regulations provided and checked. Date of last update: Not provided

The current financial Regulations do not include the requirements of the procurement regulations.

Recommendation: Review financial regulations and add details for the procurement regulations – The Public contracts Regulations 2015

**Supporting paperwork for payments and appropriate authorisation:**

A selection of payments have been cross checked against the cheque book, bank statements, invoices minutes and accounts. Payments were authorised at meetings.

**VAT reclaimed during the year:**

Two VAT 126 forms were submitted for the period during 2017/18:

01/04/17 – 31/10/17 - £5,945.42 was reclaimed and the payment received from HMRC.

01/11/17 – 31/01/18 - £9,5419.25 was reclaimed and the payment received from HMRC.

**Does the Council use General Power of Competence and when was it adopted or last confirmed.**

Has not been adopted.

**S137 separately recorded and minuted:**

S137 payments have been recorded separately and are within statutory limits

**Does the council have any loans in place?**

The council has one loan in place with the cricket club. There is one payment to be made in FYE 2019.

**Date of approval from the Secretary of State (DCLG).**

Not known.

**Code of Conduct. Date of adoption. Register of interests published on the council's website.**

Copy of Code of Conduct provided. Adopted May 2013.

Register of Interest forms can be viewed on the Hardwick Parish Council website at <http://www.hardwick-cambs.org.uk/whos-on-the-parish-council/>

**Risk Management**

**Appropriate procedures in place for the activities of the council.**

Copies of the following Risk Assessments were provided:

Rubbish collection. Last updated. Date not provided

Manual Handling Operations. Date not provided

Recommendation:

Provide a more comprehensive risk assessment for all areas of risk including, financial, staff (loss of clerk through illness, holidays and resignation), and details of what action needs to be taken and when the action has been completed.

**Appropriate insurance cover for employer's liability, public liability and fidelity guarantee. Cover of events if applicable.**

Insurance is provided by Zurich Municipal. The policy expires 30<sup>th</sup> September 2018.

Public liability: £12,000,000

Employers' liability: £10,000,000

Fidelity Guarantee: £250,000

All are within current guidelines.

**insurance cover for Corporate Manslaughter and Corporate Homicide?**

This cover has been included.

**Cover for a breach of Data Protection?**

Cover is provided under the Data Protection Act 1998 for legal costs and expenses incurred in the defence of any prosecution resulting from a data breach. There is no information about whether the policy will cover GDPR. We understand that most insurance companies are currently updating their wording on this.

The council is at present waiting for confirmation from Zurich to see if their present insurance extends to the new GDPR regime.

**Budgetary controls**

**Verifying that the budget has been properly prepared and agreed with reference to council minutes and supporting documents.**

Copy of budget provided and was approved at the meeting on 31<sup>st</sup> January 2017.

**Regular reporting of expenditure and variances from budget.**

Review of budget carried out 6<sup>th</sup> February 2018.

Budget reports provided including details of actual expenditure and % variance from the budget figure.

**Income Controls**

**Precept and other income, including credit control mechanisms.**

Two precept payments were made by South Cambridgeshire District Council:

19<sup>th</sup> April 2017 - £21,226.50

29<sup>th</sup> September 2017 - £21,226.50

**Reserves:**

General reserve: £97,097

Earmarked reserve: £40,389

**3. Petty cash/expenses procedure**

**Established system in place and associated supporting documents.**

No Petty cash is used.

## **Payroll controls**

**Salary payments including deductions for PAYE/NIC. Compliance with Inland Revenue procedures.**

Hardwick Parish Council employs a clerk and two other employees. Copies of pay slips showing PAYE and NIC deductions provided.

**Records relating to contracts of employment.**

Copies of Contracts of Employment for all employees not provided.

**Has your council auto-enrolled with the Pension Regulator?**

Evidence of completion of Declaration of Compliance with the Pensions Regulator not provided.

The clerk is enrolled in the NEST Pension Scheme.

**Did you give your employees the opportunity to opt in or out of a pension scheme?**

No information provided

**Please supply copies of letters.**

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## **4. Asset control**

**Inspection of asset register. Annual review of register. Cross checking of Insurance cover.**

Copy of Asset Register provided.

Asset value as per asset register: £632,469

Insurance cover for contents & CCTV cover, street furniture, metal fencing, play and skate equipment and safety surfacing: £123,442.13

Insurance cover for pavilion: £529,455.89

Total insurance cover for assets: £659,461.02

Recommendation:

Revise assets register to include cost price and insurance value. If possible, match the insurance headings to the headings in the asset register to make it easier to cross reference and check insurance values

## **5. Bank reconciliation**

Year-end bank reconciliation provided

Lloyds Bank Treasurer's account balance as of 31/03/18: £29,695.17. Year-end statement provided

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NS&I Income Bond: £28,000. Year-end statement provided

Business Bank Instant: £546.44 - date of statement provided 17 November 2017.

Cambridge and Counties Bank – Business Savings Account: £92,914.59 date of statement provided 28<sup>th</sup> September 2017.

Hardwick Parish Council's Internal Financial Controls state that current account balances are verified against bank statements on a monthly basis. Some but not all current account bank statements have been initialled by the Chairman.

#### Recommendation

Ensure that all current accounts statements are initialled by the Chairman as evidence that a bank reconciliation has been carried out.

#### **Year-end procedures**

**Appropriate accounting procedures used and can be followed through from working papers to final documents. Verifying sample payments and income. Checking creditors and debtors where appropriate.**

Year-end statement of accounts provided and checked.

#### **Sole Trustee**

**Has the Council has met its responsibilities as a trustee (If applicable).**

Hardwick Parish Council does not act as a sole trustee.

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## **6. Internal Audit procedures**

**Date review completed:** 21<sup>st</sup> May 2018

**Recommendations from previous internal audit:**

**Last year's audit was provided by Canalbs Ltd and their recommendations are as follows:**

- 1. Improper use of declarations of Interest - We note that councillor Humphreys only has to leave before the item if no dispensation has been requested or given and relates directly to a pecuniary Interest of hers or her spouse or partner.**
- 2. Councillor Stephen Rose – we note that he has a non-pecuniary interest in the village hall and social club.**
- 3. Agendas and minutes – Donations to the church - We note that a council can make a donation to the PCC under LGA 1972 S127 or the Localism act 2011 section 1 GPC and decide how to spend the grant. We further note that the insurance premium may not be caught by LGA 1894 S8 (1) (K).**
- 4. February 28<sup>th</sup> 2017 meeting – item regarding community bus – outside the scope of the Internal Audit**
- 5. Donation of piece of land to the church hall – We note that the land could be donated to the PCC by virtue of LGA 1972 S127 (providing that it or another charity maintains the hall).**
- 6. Benches – The council is not a 'Best Value' authority however, the council must follow due process when making a purchase to confirm that it is within its budget.**

**7. Hardwick Happenings – We would need more information to be able to comment on this item.**

With reference to the above comments these have been based solely on last years internal audit report and we would require further background information in order to accurately assess the comments that have been put forward.

**7. Additional comments**

**Annual meeting of the council:** 23<sup>rd</sup> May 2017 – minutes provided

**Annual meeting of the parish/town:** Date not provided.

**Appointment of internal auditor:** Yes, LCPAS – minutes 22<sup>nd</sup> August 2017 -item 5.4

**Transparency code for smaller/Larger authorities:** The Transparency Code does not apply to Hardwick Parish Council as its income and expenditure is above the £25,000 threshold.

**Is the council registered with the ICO?** Yes – registration number Z1197029. Start date 29<sup>th</sup> February 2018. Expiry date 28<sup>th</sup> February 2019.

**Has your council appointed a Data Protection Officer?** Yes, SCDC Data Protection Officer appointed – minutes 27<sup>th</sup> March 2018, item 5.4

**Is the council working towards the New General Data Regulations Regime?**

Yes, model policies and templates adopted at meeting on 27<sup>th</sup> February 2018.

**Other policies provided:**

Complaints Policy. Adopted: Date not provided

Equal Opportunities Policy. Adopted 23/09/08. Updated: Date not provided

Model Publication Scheme. Adopted 2008. Updated: 2011

Child Protection Statement. Adopted 2008. Updated: Date not provided

Data Protection and Information Security Policy. Adopted: Date not provided

Management of Records Policy. Adopted: Date not provided

Health and Safety Policy. Adopted: Date not provided

Recommendation:

Review current policies and update as required.

---

**Julia Prior DCEO**

*Julia Prior*

**Local Council Public Advisory Service**

**Date: 23<sup>rd</sup> May 2018**

**Local Council Public Advisory Service**

**The Vision Centre,**

**5 Eastern Way,**

**Bury St Edmunds,**

**Suffolk**

**IP32 7AB**

**Tel: 01284 766885**



File name P:\70011669 - WALLIS FARM HARDWICKIE MODELS AND DRAWINGS\DEVELOPMENT\AUTOCAD\SKETCHES\1669-SK-011.DWG, printed on 20 November 2017 17:06:34, by Hutt, Andrew



DO NOT SCALE

- NOTES:
1. DRAWING TO BE USED FOR INFORMATION ONLY
  2. AREA REQUIRED FROM LAND TO THE SOUTH OF THE SITE TO ACCOMMODATE CONSTRUCTION ACCESS VIA THE BRIDLE WAY/MAIN STREET IS 0.15 Ha.

PD1	20/11/2017	KW	FIRST ISSUE	AAH	DO
REV	DATE	BY	DESCRIPTION	CHK	APP

DRAWING STATUS: S2 - FOR INFORMATION



Unit 9 The Chase, John Tate Road, Foxholes Business Park, Hertford, SG13 7NN, UK  
T+ 44 (0) 1992 526 000, F+ 44 (0) 1992 526 001  
wsp.com

CLIENT: HILL

ARCHITECT: HILL

PROJECT: WALLIS FARM, HARDWICK

TITLE: LAND REQUIRED FOR CONSTRUCTION ACCESS

SCALE @ A3: SEE DRAWING

PROJECT No: 70011669

DRAWING No: 1669-SK-011

© WSP UK Ltd



# TEMPORARY TRAFFIC ORDER APPLICATION FORM

**NOTE:**

1. Road Closures Cost **£1000.00**
2. Emergency Road Closures **£700.00**

**Please Send Your Applications along with payment to:**

**Cambridgeshire County Council  
Street Works Team  
Stanton House  
Stanton Way  
Huntingdon  
PE29 6XL**

**Tel: 0345 045 5212**

**Email: [street.works@cambridgeshire.gov.uk](mailto:street.works@cambridgeshire.gov.uk)**



**CAMBRIDGESHIRE COUNTY COUNCIL**  
**APPLICATION FOR TEMPORARY TRAFFIC ORDER**

**YOU MUST ALLOW AT LEAST TWELVE WEEKS FOR THIS  
ORDER TO BE PROCESSED**

PLEASE TICK ALL RELEVANT OPTIONS THAT APPLY:

✓	✓	✓	✓
<b>ROAD CLOSURE</b>	<b>XX</b>	<b>FOOTPATH CLOSURE</b>	<b>SPEED LIMIT</b>
<b>OTHER (Please specify below)</b>			
Details of Works:~ UK POWER NETWORK ELECTRICAL INSTALLATION.			

**ENTER DETAILS OF ROAD TO BE CLOSED BELOW**

<b>Road Name</b>	<b>GRACE CRESCENT</b>
<b>Parish / Town</b>	<b>HARDWICK</b>
<b>Road Number (i.e.: A141)</b>	
<b>Closure Start Date</b>	<b>19.11.2018.</b>
<b>Closure End Date</b>	<b>23.11.2018.</b>
<b>Location of Works</b>	<b>27 GRACE CRESCENT, HARDWICK, CB23 7QU</b>

<b><u>Applicants Details</u></b>	<b><u>Invoice Details (if different)</u></b>
<b>Name: JON KENNY – MLP TRAFFIC LTD</b>	<b>Name:</b>
<b>Address: MILLPOND FARM, GARBOLDISHAM, DISS, NORFOLK, IP22 2SP</b>	<b>Address</b>
<b>Tel.No: 01953 688211</b>	<b>Tel.No:</b>
<b>24hr Works Emergency Contact No. 0800 029 4285</b>	<b>24hr Emergency Contact No.</b>
<b>Fax.No:</b>	<b>Fax.No:</b>
<b>Email: jon.kenny@mlptraffic.co.uk</b>	<b>Email:</b>

**Your Order Number/Ref: ...180165**

**Please supply all the requested information on the following pages...**

**CAMBRIDGESHIRE COUNTY COUNCIL**  
**APPLICATION FOR TEMPORARY TRAFFIC ORDER**

**Additional Order information required to process the order: -**

<b>Will Weekends be included?</b>	<b>Yes / No NO</b>
<b>When will the Order actually apply between the Start/End:</b>	<b>Start Date: 19/11/2018</b> <b>End Date: 23/11/2018</b>
<b>When will the works be taking place?</b> (Overnight, 9am to 5pm or just specific days etc)	<b>Details:</b> From 08:00am for 24 hours a day up until 6.00pm on 23/11/2018.
<b>Please list the road names of your proposed diversion route and provide a plan?</b> (Final diversion route to be agreed with Area Maintenance Manager prior to start.)	<b>Details: Grace Crescent.</b>
<b>Will the alternative route include a Trunk road?</b> (If so it is the responsibility of the applicant to gain agreement from the Highways Agency and submit a copy of the agreement to Street Works)	<b>Yes / No NO</b> <b>Details:</b>
<b>Will this Order apply to pedestrians and/or equestrians?</b> (If so please provide details)	<b>Yes / No NO</b> <b>Details:</b>
<b>It is the applicants' responsibility to inform the Local Parish and/or County Councillors about the closure please give details.</b> (Street Works can advise if applicable)	<b>Details:</b> Please use the following link: <a href="http://my.cambridgeshire.gov.uk/myCambridgeshire.aspx">http://my.cambridgeshire.gov.uk/myCambridgeshire.aspx</a>
<b>It is the applicants' responsibility to inform the Media in conjunction with CCC Media Department.</b> (Please provide a copy of any proposed communication and details of proposed recipients.)	<b>Details:</b> Please email: <a href="mailto:communications@cambridgeshire.gov.uk">communications@cambridgeshire.gov.uk</a>
<b>It is the applicants' responsibility to inform residents, local, business or amenities that will be affected by the closure if applicable.</b> (Please provide a copy of any proposed communication and where it will be directed if applicable)	<b>Details:</b> Letter-drop and Advanced Warning Signs to be deployed 2 weeks prior to the works start date (Copy attached).

**CAMBRIDGESHIRE COUNTY COUNCIL**  
**APPLICATION FOR TEMPORARY TRAFFIC ORDER**

<p><b>Does the above route have any restrictions, i.e. low bridges, weight limits, tunnels, fords, 'one way' or other Orders on it?</b> (If <b>Yes</b> then please give details.)</p>	<p><b>Yes / No NO</b></p> <p><b>Details:</b></p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------

Please add any comments below that you feel may assist the application: -

**CAMBRIDGESHIRE COUNTY COUNCIL**  
**APPLICATION FOR TEMPORARY TRAFFIC ORDER**

**REQUIRED ADDITIONAL IMPORTANT INFORMATION**

1. Please ensure you give the official road name with the correct spelling for which the Order is required.
2. Access must be allowed to Emergency Vehicles at **ALL** times.
3. Note Access to properties must be allowed at **ALL** times.

4. Access may be allowed to Public / Education transport buses.
5. An order will only be granted where a suitable alternative route or arrangements are available.
6. A plan showing the length of road to which the Order will apply (together with Health & Safety & CDM if applicable) must be attached to this application.
7. Please provide a plan of the proposed diversion route and signing schedule.
8. Please contact Environmental Services, at Cambridge City Council if the noise from the works are likely to cause a disturbance to residents and/or commercial units, especially if you are working night hours (i.e. 23:00hrs to 07:00hrs). email: env.health@cambridge.gov.uk
9. Signs 1050mm by 750mm bearing the words "This Road will be closed "From ..... To ....." and including the dates of the closure **MUST** be placed at all approaches to the site **at least 14 days** prior to the proposed closure.

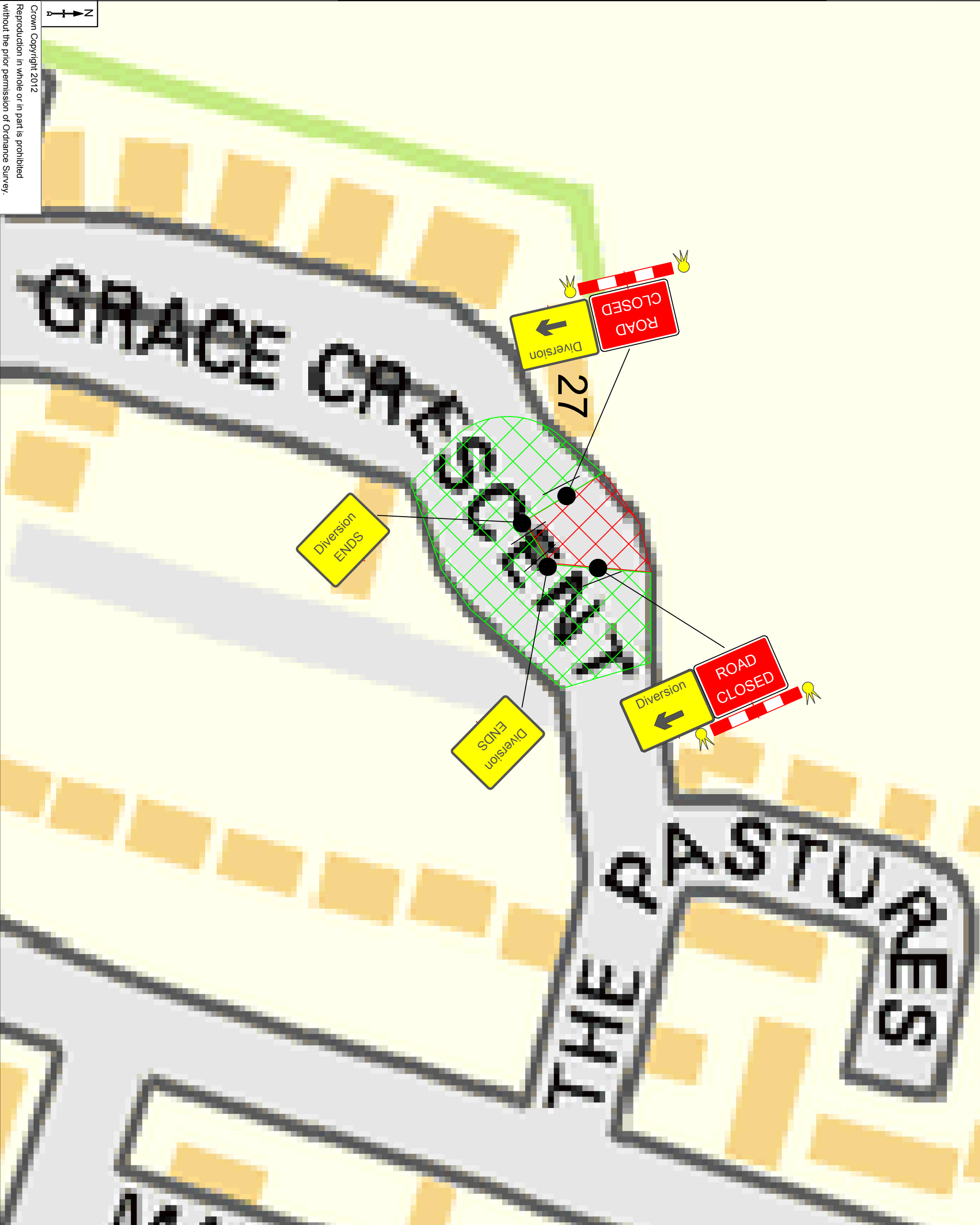
**DECLARATION:**

**All the information given in this application is true and I have checked all the names of streets and parishes against an official map of the area.**

**Applicants Signature:**.....JON KENNY    **Date:** 17.08.2018.....

**Company:**.....MLP TRAFFIC LTD.....

**Position:**.....TM PLANNER.....



- Notes**
1. All dimensions are in metres unless otherwise stated.
  2. All traffic management to comply with Chapter 8 and any updates, and Safety at street works and roadworks (A code of practice)
  3. All road markings and signs to be as per the Traffic Signs Regulations and General Directions 2016.
  4. All permanent traffic signals will be bagged and switched off, at all times that temporary traffic signals are being used. This should be done with approval from said authority

**Key**

**Sign**

Pedestrian Barrier

Cone Lamp

Road Closure Point

Diversion Route

Date Drawn	Surveyed	Drawn	Checked/Approved
16/06/2018	--	JK	AV



Mervyn Lambert Plant Ltd.  
Lampford Farm,  
Gosport Road,  
Norfolk  
IP22 2SP  
Tel: 01693 893711  
Fax: 01693 893235



UK Power Networks

**Project**

**ELECTRICAL CONNECTION**

**Drawing Title / Site Address**

WALLIS FARMHOUSE (GRACE CRESCENT), MAIN STREET, HARDWICK, CAMBRIDGESHIRE, CB23 7QU

**Drawing Status**

Scale:	NTS	DO NOT SCALE
Client No:		
Page No:	1 OF 1	
Drawing No:	UKPN/1923/JK/01	Rev: 0

This drawing is not to be used in whole or part other than for the intended purpose and project as defined on this drawing. Refer to the contract for full terms and conditions.





Registered Office:  
Newington House  
237 Southwark Bridge Road  
London SE1 6NP

Company:  
UK Power Networks  
(Operations) Limited

Registered in England and Wales No: 3870728

## Dear Resident

**Our Reference: UKPN 1923 - 120066682**

### **Notification of future works in Main Street, Hardwick.**

UK Power Networks will be carrying out work to the underground electricity distribution network in the vicinity of 27 GRACE CRESCENT.

These works involve excavations, reinstatement, cable installation and jointing. Work will commence on 19.11.2018 for 5 days. We apologise for any inconvenience this may cause.

Residents will have limited access to Grace Crescent as we are working in the carriageway and a road closure will be in place. Access for emergency vehicles will be maintained at all times.

We have been liaising with CAMBRIDGE COUNTY COUNCIL (as required by The New Road and Street Work Act) and can confirm that the work has been organised in an effort to minimise disruption for vehicles and pedestrians.

Thank you for your patience during this time.

Yours faithfully,

Permitting and Street Works Team  
EPN Small Services Deliveries  
UK Power Networks

Contact Telephone Number: 0800 141 3344

# HARDWICK PARISH COUNCIL

(South Cambridgeshire District)

Clerk: Mrs Gail Stoehr  
Chairman: Cllr. Mr Stephen Rose

30 West Drive  
Highfields Caldecote  
Cambridge  
CB23 7NY  
Tel: 01954 210241  
Fax: 0870 7052759  
E-mail: [hardwickpc@lgs-services.co.uk](mailto:hardwickpc@lgs-services.co.uk)

August 2016

## **Village maintenance specification for 2017, 2018 and 2019**

(to be read in conjunction with accompanying maps and tender form)

Tenders are invited, **by Friday 19 August 2016**, for the three year contract for the grass cutting/grounds maintenance of the following:

### **Recreation Ground (off Egremont Road)**

- Price per annum for cutting of all grassed areas outlined (map 1) to a standard suitable and appropriate for a recreation ground with regular use/sport activity
- If you wish to tender per cut, please indicate how many cuts are required
- Tenders to include cutting of grass around clothes bank, behind multi games area, path adjacent to the Pavilion and skate park, and around any objects/equipment
- The annual maintenance of the perimeter vegetation following its planned hard cut back later this season
- Any litter should be removed prior to cutting

Quotations are also invited for a hard cut back of perimeter vegetation at the Recreation Ground in 2016, preferably in September/October.

### **Limes Road/Egremont Road estates**

- Price per cut for a maximum of twenty cuts per annum, dependant on season/growth rate
- Any litter should be removed prior to cutting

### **St Mary's Play Area (off Main Street)**

- Price per cut for a maximum of twenty cuts per annum, dependant on season/growth rate
- Any litter should be removed prior to cutting

*Please note:*

- *To ensure a fair tender process your tender must be itemised and detailed on the accompanying tender form.*
- *You shall tender for a net price per cut exclusive of VAT. The season should be anticipated 1 March to 31 October, but this may vary depending on each season.*
- *Insurance will be required at the time of tender and thereafter annually evidence of Public Liability Insurance cover for £5,000,000 (five million pounds).*
- *Each area above will be considered individually by the Parish Council and therefore may be awarded to different contractors.*
- *The Council is not obliged to accept the lowest or any tender submitted.*
- *The Council does not accept any costs incurred or prices charged in the preparation and submission of tenders.*
- *If successful, accounts for payment must be itemised and dated with the date of the cut.*
- *Location plans are enclosed.*

**HARDWICK PARISH COUNCIL MONTHLY FINANCIAL STATEMENT**

Aug-18

**Summary of previous month****Balance brought forward** **£162,917.56****Expenditure approved at last meeting/between meetings**

DYNOROD PAVILION DRAIN CLEARANCE -156.00

**Misc credits**

HSSC RENT 875.00

NS&amp;I INTEREST 23.01

LLOYDS INTEREST 0.02

*Total Adjustments*742.03

Balance revised after adjustments

£163,659.59**Bank Reconciliation to last statement**

Account	Funds	Statement	Outstanding
Current Account	42,198.56	49771.30	-7,572.74
Business Account	546.44	546.44	
Cambridge Counties Bank	92,914.59	92,914.59	
Bonds	28,000.00	28,000.00	
<b>Total</b>	<b>163,659.59</b>	<b>171,232.33</b>	<b>-7,572.74</b>

**Expenditure for approval**

£

HARDWICK VILLAGE PLAN VILLAGE PLAN EXPENSES 500.00

QUINN ELECTRICAL PAVILION EXTERNAL LIGHTS 550.00

CGM GRASSCUTTING 1530.00

LGS SERVICES ADMIN SUPPORT 1346.82

ZURICH INSURANCE 1869.30

SALARY 90.36

SALARY 135.72

NEST PENSION CONTRIBUTIONS 166.75

DD

*Total expenditure*6188.95

Balance c/f

£157,470.64**Notes:***Late invoices will be brought to the meeting*

THE PAYMENT TO CAMBS CRICKET LTD IN MAY HAS BEEN REISSUED AS IT HAS BEEN LOST IN THE POST