

Tuesday 5th March 2024

To: All members of the Operations & Resources Committee

Cllrs Sue Smith (Chair), Liz Simpkins (Vice-Chair), Eamonn Bobey, Tony Coughlan, Donna Fuller, Penny Glasgow, Luke Louis, Ruth McMillan, D'Anne Mordecai, Deanna Norris, April Rennie, Alan Williamson

NOTICE OF MEETING

You are hereby summoned to attend a meeting of the Operations & Resources Committee to be held on **Monday 11th March 2024** commencing **6:30pm** at the **Woughton Community Council Hub, the Council Chamber, 60, Garraways, Coffee Hall, Milton Keynes, MK6 5EG.**

Members of the public can attend in person, submit questions in advance and or watch live via www.facebook.com/woughtoncc.

Please be aware that this meeting is being recorded and broadcast live. Microphones are live at all times – if you are not speaking formally within the meeting, please do keep any additional noise to a minimum and be aware that anything said within this meeting will be in the public domain'.

The Calendar of Meetings can be accessed at:

<https://www.woughtoncommunitycouncil.gov.uk/council-meeting-calendar/>

Steve McNay
Parish Manager

Please ensure that your mobile phone is switched to silent or is switched off completely during the meeting.

AGENDA

OC 99/24 Apologies:

To record apologies from members unable to attend the meeting.

OC 100/24 Declarations of Interest:

Under the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, made under s30 (3) of the Localism Act, members must declare any disclosable pecuniary interest which they may have in any of the items under consideration at this meeting, and any additional interests not previously declared.

OC 101/24 Chairs Announcements:

To receive announcements from the Chair.

OC 102/24 Questions from the public (Max. 10 minutes):

To receive questions/statements from members of the public.

OC 103/24 Minutes of the previous meeting:

To receive and approve as a true and correct record the minutes of the Operations & Resources Committee meeting held on:

- Monday 12th February 2024.

(Attached)

OC 104/24 To agree the List of Payments, Bank Reconciliations for the months of January and February 2024:

(List of Payments& Bank Reconciliations to follow)

OC 105/24 To recommend use of PAYE for councillor allowances.

(Report by the Responsible Finance Officer attached)

OC 106/24 Training provision update for the new council year.

(Report by the Council Manager attached)

OC 107/24 Legal updates for March 2024

(Report by the Council Manager, and additional documents attached)

OC 108/24 Prevention of Sexual Harassment policy update

(Report by the Council Manager)

OC 109/24 Biodiversity Duty update paper

(Report by the Council Manager & Scheme of Allowance paper attached)

OC 110/24 To discuss possible proposals for applications to the Shared Prosperity Fund for public realm improvements

(Initial ideas paper by Council Manager attached)

Date of next meeting:

Monday 15th April 2024, 6:30pm at the Woughton Community Council Hub, 60, Garraways, Coffee Hall, Milton Keynes, MK6 5EG.

Woughton Community Council

Operations & Resources Committee

Minutes of the meeting held on Monday 12th February 2024, 6:30pm at the Woughton Community Council Hub, the Council Chamber, 60, Garraways, Coffee Hall, Milton Keynes, MK6 5EG.

Present: Cllrs Sue Smith (Chair), Liz Simpkins (Vice-Chair), Eamonn Bobey, Tony Coughlan, Penny Glasgow, Luke Louis, Deanna Norris, April Rennie, Alan Williamson

Also present:

Steve McNay (Council Manager)

OC 86/24 Apologies:

Cllr Donna Fuller (Other commitment)

Cllr D'Anne Mordecai (unwell)

Cllr Ruth McMillan (unwell)

All agreed and accepted.

OC 87/24 Declarations of Interest:

There were no declarations of interest.

NOTED

OC 88/24 Chairs Announcements:

The Chair reported that

- There would be a D-Day Working Group meeting prior to the Services Committee next Monday evening, please attend after 6pm if not on that group,
- That it is pancake day tomorrow (Tuesday 13th February)
- That there is an MKALC meeting on 28th February.

OC 89/24 Questions from the public (Max. 10 minutes):

No questions received.

OC 90/24 Minutes of the previous meeting:

The minutes of the Operations & Resources Committee meeting held on Monday 15th January 2024 Were **AGREED** as a true and correct record and signed by the Chair.

Proposed: Cllr Smith. Seconded: Penny Glasgow Vote: Unanimous

OC 91/24 To agree the List of Payments, Bank Reconciliations for the month of January 2024:

Due to the absence of the Responsible Finance Officer, it was proposed that the payments and reconciliations be signed outside the meeting, once the RFO returned. This was agreed.

AGREED

OC 92/24 To inform the committee of the VAT return for quarter 3 (1st October – 31st December 2023)

The paper from the RFO was spoken to by the Council Manager, who explained that the Quarter 3 return (Oct – Dec 2023) was submitted to the amount of £12,059.96, which has been agreed and paid into the WCC account by HMRC

RESOLVED – Noted by the committee

OC 93/24 Training calendar for the new council year:

Discussion from the committee around

- logging of training (Council Manager explained that all training is added to the councillor training record)
- Importance of both training and, where possible, mentoring from an experienced councillor (especially for newer members)
- Any requirement for training (nothing in law, but expectation within the Terms of Reference for some committees, e.g. Planning training for the PLaD committee and Finance training for this committee)
- Regular training 'calendar' or a set route for training for new members – whilst there isn't anything in place, there are regular sessions that should take place, such as Safeguarding and a new requirement for Anti Sexual Harassment training as part of a wider focus on this area.
- Reminder of already agreed sessions (e.g. Bystander, Modern Slavery) and details of some Met Office sessions (some sessions for the Incident Group and a session on climate change for the Green Working Group)

The pros and cons of providing specific session within the council vs 'buying in' sessions from BMKALC, etc. were also looked at, with a view that the sessions that have been provided previously in Chambers (face to face) have been more beneficial, as they focus specifically on the parish and the needs of local residents, the councillor group and WCC. The resources needed to develop and deliver these sessions was also covered, with a view that there needed to be a minimum of seven (7) attendees to make it viable.

Proposal tabled by Cllr Sue Smith:

"The councillors consider the areas that they would like to see covered in training"

Seconded by Cllr Tony Coughlan

RESOLVED BY WAY OF UNANIMOUS VOTE

Proposal tabled by Cllr Sue Smith

"That the Council Manager brings details of all training offered by relevant external organisations and potential internal training, with a minimum of seven attendees needed to allow delivery"

Seconded by Cllr Eamonn Bobey

RESOLVED BY WAY OF UNANIMOUS VOTE

OC 94/24 Annual meeting preparations and policy review

The Council Manager gave an explanation of the Annual Meetings, explaining that there has been a challenge in engaging residents in recent years and explaining the essential elements needed – election of roles, review and agreement of key

documents, etc. There was a query regarding the need to review the Code of Conduct, as this wasn't on the list attached – whilst this is NOT noted within the Standing Orders, a review can happen anyway – this would be in line with MKCC Code.

Proposal via paper

“That officers and members review the listed documents for agreement to submit to the Annual Meeting. This agreement to be at the Operations meeting due to take place on 15th April 2024.”

Proposal from Cllr Sue Smith

“That an engagement event linked to the Neighbourhood Plan be included as part of the Annual Meeting, to promote more engagement from residents”

RESOLVED BY WAY OF UNANIMOUS VOTE

OC95/24 Asset register review

The Council Manager explained the purpose and reasoning behind the Asset Register, noting that there is work to be done. He apologised for the incorrect date on the document shared, suggesting that it hadn't been updated since 2020, confirming that this was an annual review.

Proposal via the paper

“That the Council Manager is tasked with working with managers and others to ensure the register is thoroughly reviewed and updated, with a view to having the final version ratified in March, for submission within the internal / external audit processes.”

Seconded by Cllr Sue Smith

RESOLVED BY WAY OF UNANIMOUS VOTE

OC 96/24 Updated councillor allowance recommendations from the Independent Remuneration Panel:

The paper provided within the agenda pack explained that the Independent Remuneration Panel had recommended a 4.48% rise in allowances for the 2024/25 council year. Whilst the paper did not specify the amounts for Parish councils, the following was stated:

At our full Council meeting on 18 January 2023, the Council agreed an increase to the MKCC basic allowance by 4.69%. The IRP recommended that Parish / Town Councils who pay allowances should track the MKCC basic allowance, as follows:

- Basic: Up to 10% of the MKC Basic Allowance for Quality Parish / Town Councils = £1,169 or Up to 7.5% of the MKC Basic Allowance for Non Quality Parish / Town Councils= £877*
- Chairs: Up to 20% of the MKC Basic Allowance for Quality Parish / Town Councils= £2,338 or Up to 15% of the MKC Basic Allowance for Non Quality Parish / Town Councils= £1,753*

We are not currently registered as a 'quality council' (but may well become one over the coming year), so allowances for WCC elected members are £877 (with extra for Chair / Leader).

Based upon the updated figures (basic MKCC allowance has increased to £12,213), 7.5% of this means a WCC basic allowance of £916.

Proposal from Cllr Sue Smith:

"That WCC agrees to the recommendations made by the Independent Remuneration Panel and increases allowances in line with these"

Seconded by Cllr April Rennie

RESOLVED BY WAY OF UNANIMOUS VOTE

OC 97/24 To move and second and then to be put to the vote the following motion:

Public Bodies (Admission to Meetings) Act 1960

That by virtue of the provisions of Section 1 (2) of the Public Bodies (Admission to Meetings) Act 1960, the public be excluded during discussion of the following business on the grounds that publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

Proposed by Cllr Sue Smith. Seconded by Cllr Penny Glasgow.

RESOLVED BY WAY OF UNANIMOUS VOTE

OC 98/24 To consider various HR matters:

There was discussion around the initial proposals regarding staffing structures, in line with previous agreements, with the Council Manager presenting a first stage plan to cover the loss of the Operations Manager and the Committee and Member Services Officer. This included changes to the managers duties, with new roles being Estates Manager, Youth and Community Manager and Operations Manager. There will be further work, once these changes are implemented, to address the remaining staff, suitable roles and any changes that may be needed.

Queries were raised with regard to continuity planning and ensuring suitable cover in the event that officers are unable to work – whilst there is some in place, there are also roles that are so specific or specialist that external candidates would probably be needed. This will be further investigated by the Council Manager.

The Council Manager detailed that the managers involved had been consulted and agreed to the changes. There will be a further period of clarification with job descriptions updated, consultation with unions and then further discussions across the officer team.

Proposal from Cllr Sue Smith:

'That the initial stage of the staffing restructure is agreed as noted above, and that the Council Manager and other senior officers continue to consider next steps in terms of other officers, roles and needs for the organisation'.

Seconded by Cllr Tony Coughlan
RESOLVED BY WAY OF UNANIMOUS VOTE

The second issue was around replacing an officer who has had their contract cancelled due to failure to attend, contact, or respond to requests for updates. There is currently a volunteer (PP) who is in the role, and it was suggested to promote continuity and allow 'promotion' from within. This would be unusual, as we would usually advertise, but it is suggested that this is bypassed on this occasion.

Proposal from Cllr Sue Smith

'That the committee agrees to the Council Manager undertaking the formal process to employ PP, the current landscape volunteer, without the need to put the post out to advert'.

Seconded by Cllr Alan Williamson
RESOLVED BY WAY OF UNANIMOUS VOTE

Date of next meeting:

Monday 11th March 2024, 6:30pm at the Woughton Community Council Hub, 60, Garraways, Coffee Hall, Milton Keynes, MK6 5EG.

THE CHAIR CLOSED THE MEETING AT 7.55 PM

Chair _____ Date _____

WOUGHTON COMMUNITY COUNCIL

Operations & Resources Committee - Monday 11th March 2024

Agenda Item OC 105/24

PURPOSE OF REPORT:

To propose processing of Councillor's Allowance payments through payroll

RECOMMENDATION:

That this committee agrees to begin processing Councillor Allowance payments through our payroll system

MAIN ISSUES AND CONSIDERATIONS:

The Local Authorities (Members' Allowances) (England) Regulations 2003 apply to those parishes that pay members' allowances.

As per HMRC guidance, for tax purposes council members and civic dignitaries are treated in the same way as any other individual who holds an office or is an employee. This means that Councillor Allowances paid to elected members are chargeable to income tax as employment income and normal PAYE arrangements apply to these payments. Additionally, the JPAG Practitioner's Guide advises that as part of proper financial and governance controls, we should "*ensure that appropriate procedures are in place for the payment of members allowances and deduction of any tax liability*". To comply with those requirements, we propose that the processing of Councillor's Allowance payments is to be made through payroll. The amount of tax deducted will depend on the tax code issued by HMRC, based on the information provided on the Starter Checklist document. Expenses (e.g. travelling expenses, postage and stationery, telephone, hire of rooms for councillor surgeries) can be claimed as a deduction from the earnings and, as a result, reduce tax liability.

Members may choose to renounce any part of their entitlement to allowances which will mean that there will be no liability to income tax, but it will also mean that no expenses can be claimed as a deduction.

STAFFING IMPLICATIONS:

None.

OTHER IMPLICATIONS:

There is a need to review the policies relating to allowances more widely, which will form part of the annual policy review.

BACKGROUND PAPERS:

<https://www.legislation.gov.uk/uksi/2003/1021/part/5/made> - Local Authorities (Members' Allowances) (England) Regulations 2003 (parish council specific)

HMRC Employment Income Manual <https://www.gov.uk/hmrc-internal-manuals/employment-income-manual/eim65970>

AUTHOR

Marta Sobis – Responsible Financial Officer

WOUGHTON COMMUNITY COUNCIL

Operations and Resources Committee – 11th March 2024

Agenda Item OC 106/24

PURPOSE OF REPORT: To update the committee on training options.

RECOMMENDATION:

1. That the committee notes the details of training offered both externally and options for internal sessions.
2. That the committee prioritises the sessions that they feel most important, so that these can be planned and delivered.
3. That the committee agrees to a set day / time each month for training delivery.

MAIN ISSUES AND CONSIDERATIONS:

At the last Operations Committee meeting, the Council Manager was tasked with collating training options from the external organisations, such as NALC, BMKALC, SLCC, etc. as well as the ideas that have been suggested for internally delivered sessions.

There is an attached paper that details the sessions offered by the ALCs. The sessions offered by SLCC are numerous but aimed more at officers than members (where there is a 'cross over', the Council Manager will invite councillors to attend too).

Internal sessions suggested included:

Agreed sessions:

1. Modern Slavery (online / chambers)
2. Bystander training (online / chambers)
3. MK Act domestic abuse awareness

Suggested 'in house' sessions:

1. Safeguarding Adults and Children*
2. PREVENT*
3. Anti sexual harassment*
4. Standards in Public Life
5. Meetings, motions and processes - How to work within the Standing Orders
6. Data Protection and GDPR
7. Chairing and Facilitating Meetings (may be better via BMKALC)
8. Finance in Local Councils
9. Communication and Social Media
10. Working with your community
11. Diversity, equality, and inclusion
12. First Aid (community as well)
13. Mental Health First Aid (shortened session)

This is a total of sixteen (16) sessions, so it may be that the committee feels a monthly session (excluding August / December) is suitable and prioritises accordingly. However, it may be that some of the sessions above can be combined into joint sessions or may not be considered priorities for the committee (NB those with an asterisk (*) should be considered essential / legal requirements).

STAFFING IMPLICATIONS:

There is a level of preparation that is needed for delivery of internal sessions and indeed, where external trainers are used. This will be an additional demand but is currently considered manageable within existing resources.

OTHER IMPLICATIONS:

External training has a cost attached, but these are usually relatively limited (£30 - £60 a session for the ALC sessions). There is a healthy budget for training for the coming year, so 'buying in' external sessions and / or facilitators remains an option.

BACKGROUND PAPERS:

training 2024-25

AUTHOR

Steve McNay – Council Manager

Training Provision – 2024/25

Agreed sessions:

- Modern Slavery (online / chambers)
- Bystander training (online / chambers)
- MK Act domestic abuse awareness

Suggested 'in house' sessions:

- Meetings, motions and processes. How to work within the Standing Orders
- Safeguarding Adults and Children*
- PREVENT*
- Councillor training (induction and / or update)
 - o Standards in Public Life
 - o Data Protection and GDPR
 - o Chairing and Facilitating Meetings (may be better via BMKALC)
 - o Finance in Local Councils
 - o Communication and Social Media
 - o Working with your community
 - o Diversity, equality and inclusion
- First Aid (community as well)
- Mental Health First Aid (shortened session)

External Training Options.

BMKALC

The Planning Framework – 17th of April at 6.30pm – Online

An introductory training session covering the basic principles of planning including policy, applications, appeals and enforcement.

This two hour session will also include tips on increasing the effectiveness of the responses that Parish and Town Councils send through to local planning authorities and the opportunity to ask questions of an experienced planning consultant who has worked for local Councils, a volume house builder and a planning consultancy.

Who should attend: Suitable for both Clerks and Councillors

Running time: 2 hours approximately depending on Q&A

Quotes, Tenders & Contract Management – Navigating the Procurement Process with Confidence – May 7th, 8th and 9th at 11am online

Procuring services and equipment can be a challenging undertaking. What form of procurement should be used? With an array of options and technical terms to consider such as sole tenders, quotations, ITTs and EOI's the procurement process can seem overwhelming at first. We will

guide you through best practices to help you take charge of the initiation, drafting, and publication of documents. From tender/bid assessments to contract awards, we will help you master the crucial elements of successful contract management.

This training session is specifically tailored to meet the requirements of Town and Parish councils, providing comprehensive guidance on utilising Contract Finder and Find a Tender services.

Due to the complexity of the material covered in this training it has been split into three one hour sessions delivered over three consecutive mornings:

Session One May 7th at 11am: Understanding the current procurement environment

Session Two May 8th at 11am: Deciding on the procurement strategy / Creating the procurement documentation

Session Three May 9th at 11am: Assessing and Awarding a contract / Contract management processes

Achieving Biodiversity: Turning Council Goals Into Action – June 17th The Oculus Aylesbury 10am to 3pm

This full day biodiversity seminar is being run in partnership with BMKALC and Berk, Bucks and Oxon Wildlife Trust to inspire and empower Town Council and Parish Councils to take action for nature locally.

Biodiversity refers to the wide array of life on our planet, ranging from tiny insects to small mammals to enormous trees. It encompasses the diversity within species and the intricate ecosystems they inhabit. Biodiversity extends beyond rare species and endangered habitats; it encompasses the entirety of the natural world.

Biodiversity is also about people, and how we use and share the environment with its other living inhabitants. It is very much about the quality of our lives, sustainability of development, and local distinctiveness; a rich and healthy biodiversity is a reflection of a healthy and sustainable community.

Are you ready?

The Natural Environment and Rural Communities Act 2006 placed a duty on public authorities in England to have regard to conserving biodiversity as part of their policy for decision making. Conserving biodiversity can include restoring or enhancing a population or habitat. This duty has been reinforced under the Environment Act 2021, and with Biodiversity Net Gain now mandatory for all developments since 12th February 2024, understanding how you can conserve and enhance biodiversity in your Town or Parish is essential.

[Government guidance](#) asking for councils to complete their first consideration of what action to take for biodiversity by 1 January 2024 and agree policies and objectives as soon as possible afterwards was published on 17 May 2023. As a Town or Parish Council, the following are key areas for you to have considered;

your observations on planning matters

How you manage;
your land and buildings and green spaces
community amenities e.g. sports grounds, allotments and cemeteries
waste and pollution
energy and water
wood and plant products
decisions about procurement.
consideration to economic, environmental and social programmes.

Join us on June 17th to consider your next steps in delivering your action plan and making a positive impact in your parish, and find out where you access advice and information to help you take action/achieve your goals.

What's Happening?

Our programme includes keynote addresses from sector experts, speakers from our principal authorities Buckinghamshire Council and Milton Keynes City Council, panel discussions and Q&A sessions to enable delegates to share best practice and inspire future collaboration while highlighting new opportunities.

Our Exhibitors include local groups who have been working with their local authorities to improve biodiversity where they live, local and national conservation and species action groups, and ecological experts.

Parking: Onsite parking is free, electric charging points are available and disabled parking bays are available at the front of the car park (these cannot be reserved in advance)

Public transport: The train and the bus station are around a 10 minute walk from the venue

Tickets: £10 per delegate including light lunch and refreshments please email balc@bucksalc.gov.uk with any dietary requirements at the point of booking

Time: 9.00am to 3.00pm

Location: Oculus The Gateway Conference Centre, Gatehouse Rd, Aylesbury, HP19 8FF



GOVERNANCE

Governance courses provide councils with the essential knowledge to run a council lawfully.

Councillor Training
Chairing Skills
Clerks Essentials
Agenda and Minutes
Delegated Powers
Code of Conduct
Civility and Respect



OPERATIONAL

Operational courses provide councils with the skills and training specifics to run a council lawfully.

HR Tools and Training
Finance Training
Procurement and Contracts
Marketing and Communications
IT Services
CiLCA
Report Writing



SERVICE RELATED

Service Related courses provide councils with the essential skills and awareness to run and develop the service offering within their council area.

Open Spaces
Burial Grounds
Allotments
Planning Matters
Property Law
Charities and Trustee ships
Community Assets



TOPICAL

Topical courses reflect current concerns and interests around the membership.

Climate Change
Devolved Services
Parish Charters (BC)
Infrastructure Projects
Bespoke Requests
Whole Council Training
Neighborhood Planning
CCTV Management and Compliance

NALC

EMERGING TRENDS IN LOCAL GOVERNMENT FINANCE

24 April 2024 — 12.00 – 13.15

NALC member: £30 – Non-member: £40

As local government grapples with unprecedented financial challenges, with some principal authorities facing administration, engaging in a discourse that focuses on fortifying economic resilience in the strategic planning of local (parish and town) councils is imperative.

This event will showcase a panel of finance experts representing different tiers of local government, offering insights into the shared financial risks confronting local councils and principal authorities.

Take advantage of this chance to gain practical knowledge on safeguarding local councils from prevalent financial threats anticipated to impact local government entities in the years ahead.

Speakers: Annie Child, chief executive at the Smaller Authorities' Audit Appointments, Derek Kemp, audit and accounts advisor for the National Association of Local Councils and Steve Parkinson, director at The Parkinson Partnership LLP

UNLEASHING THE POWER OF LOCAL COUNCILS TO TACKLE THE CLIMATE EMERGENCY

26 June 2024 — 12.00 – 13.30

NALC member: £30 – Non-member: £40

Empower your local council to force change in the fight against climate change and biodiversity loss. Despite their potential, many smaller councils feel shackled by a lack of funding and disempowered in making a tangible impact. It's time to change that narrative.

Take advantage of this dynamic event that goes beyond rhetoric. Witness first-hand examples of impactful initiatives from around the country through the eyes of a national stakeholder championing climate action, a representative from a government department steering this crucial agenda, and a case study featuring a council that has successfully risen to the challenge.

This is not just another event – it's a call to action! Walk away with practical, actionable insights your council can implement to make a real change. The fight against climate change starts at the grassroots level, and your council can be a driving force. Seize this opportunity to transform your council into a catalyst for positive environmental change. Together, let's make a lasting impact on our planet's future.

DECODING THE FUTURE OF ARTIFICIAL INTELLIGENCE IN LOCAL GOVERNANCE

24 July 2024 — 12.00 – 13.30

NALC member: £30 – Non-member: £40

Dive into the world of artificial intelligence (AI) and explore the realm of predictive analytics in local council settings. While our initial thoughts about AI might drift towards Hal from 2001: A Space Odyssey, the current focus is on predictive analytics and harnessing historical data to forecast new instances or cases.

In the realm of local government, predictive analytics is emerging as a game-changer, although its widespread adoption is still in its infancy. This session will take you beyond the surface, examining sophisticated examples of predictive analytics in various local public services. While some organisations have embraced this cutting-edge technology, most of the sector is just beginning to explore the opportunities and risks it presents.

Hear directly from experts who have conducted a groundbreaking report for the Local Government Association on AI in local government, a principal authority utilising assistive

technology, and a communications stakeholder in the sector. Gain valuable insights into how predictive analytics could shape the future of local councils and grapple with the broader moral dilemma presented by AI.

THE FUTURE OF NEIGHBOURHOOD PLANS

25 September 2024 — 12.00 – 13.15

NALC member: £30 – Non-member: £40

Despite the government dragging its feet on supporting funding for neighbourhood planning, the confirmation eventually came through, solidifying its commitment to neighbourhood planning. In this area, local (parish and town) councils shine.

This event aims to re-evaluate the continued significance of neighbourhood planning and make a case for its sustenance in the upcoming parliament, regardless of the government's composition. The focus is bridging the interest gap between developers, local councils, and local planning authorities.

Rediscover the passion for launching and shaping a neighbourhood plan in your area and access indispensable tips, guidance, and advice necessary to embark on this pivotal undertaking.

WOUGHTON COMMUNITY COUNCIL

Operations and Resources Committee

Agenda Item OC 107/24

PURPOSE OF REPORT: To update the committee on new legislation, legal updates and similar.

RECOMMENDATION:

1. That the committee notes the report and attached papers.
2. That the committee tasks officers with including the updates within policy reviews (where appropriate) for future ratification by this committee.
3. That future updates are provided to the committee as and when published.

MAIN ISSUES AND CONSIDERATIONS:

There have been a couple of updates provided over the past month relating to changes in legislation or best practice, relating to the business of local councils. This includes some significant new legislation and some smaller changes to existing rules and regulations.

There are new **procurement thresholds**, which will mean updating standing orders and financial regulations. These are detailed fully in the attached NALC Legal Topic Note (No 87), which is attached. In brief:

- Low value (under £30k incl VAT) are covered by Standing Orders.
- All contracts over £30,000 (incl VAT) but below the level below, must be advertised via the 'Contracts Finder / Find a Tender' website.

This replaces the existing level of £25,000 as the break point.

- A public service or supply contract valued at over £214,904 (or Public Works contract over £5,372,609) must follow the more complex procedure, as detailed in the LTN noted.

These replace the following levels detailed in the statement that is currently contained within the Standing Orders of the council:

A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015.

There has been some clarification around **annual meeting dates**, making clear that there **MUST** be a three days clear gap between summons and the meeting, so when elections take place, this needs to take into account the need to summons ALL – if elections are contested and therefore councillors are unknown, a summons cannot be sent and as such, would have to be delayed. As things stand currently, WCC is NOT subject to any elections this year and so the planned date for the meeting (7th May) would be suitable. This will change in the event that any election takes place.

There are also updates on giving **references, foreign convictions / bankruptcy, funding to schools** and the use of **Clerks home addresses** for correspondence.

STAFFING IMPLICATIONS:

None noted.

OTHER IMPLICATIONS:

There may be changes to the above in the event that any resignations or elections are needed within the council.

BACKGROUND PAPERS:

LTN 87-Procurement
NALC legal update Feb 24

AUTHOR

Steve McNay – Council Manager

24 JANUARY 2024

LTN 87 | PROCUREMENT

Introduction

1. This LTN applies to local councils in England and Wales except for paragraphs 11 to 16 below which apply only to local councils in England.
2. In the context of local councils, “procurement” is the process by which they award contracts to third parties (frequently individuals or companies) to provide goods, services or to undertake works. A procurement process is designed to source the most suitable contractors based on factors such as cost and their knowledge, experience, quality, capability, and financial standing.
3. A procurement exercise by a local council is subject to the requirements in s. 135 of the Local Government Act 1972 (“the 1972 Act”) and the Public Contracts Regulations 2015 (“the 2015 Regulations”). These legal requirements are summarised in the table below.

| Contract value (inclusive of VAT) | Legal requirements | | |
|--|---|---|--|
| | The council’s standing orders required by s.135 of the 1972 Act (and financial regulations) | The Contracts Finder/ find a tender website and other light touch rules in the 2015 Regulations | Complex requirements in the 2015 Regulations |
| Low value contracts (in England only, this means up to £30,000). | ✓ | | |
| All contracts over £30,000 including VAT but below the threshold below (England only). | ✓ | ✓ Use of the Contracts Finder/ find a tender website (see paragraph 11 to 16 below). | |

| | | | |
|--|---|--|---|
| Public service or supply contract over £214,904 or public works contract over £5,372,609 | ✓ | | ✓ Follow most complex procedure (see paragraphs 17 to 21). |
|--|---|--|---|

4. The requirement for councils in England and Wales to have standing orders with respect to procuring and entering into contracts is set out in s.135 of the 1972 Act. This Note provides (A) an explanation of councils' responsibilities under the 1972 Act (England and Wales), (B) an explanation of the bodies and contracts which are subject to the 2015 Regulations (England and Wales), (C) an explanation of the Contracts Finder/ find a tender provisions and other light touch requirements for procuring and awarding contracts covered by the 2015 Regulations which are valued over £30,000 (England only) and (D) an overview of the complex requirements for procuring contracts covered by the 2015 Regulations which are valued over £214,904 for a public supply or public service contract or £5,372,609 for a public works contract (England and Wales).

A. Standing Orders (s. 135 of the 1972 Act)

5. S.135 of the Local Government Act 1972 provides:

- A local authority (which includes local councils in England and Wales) may make standing orders with respect to the making of contracts by them or on their behalf.
- A local authority shall make standing orders with respect to the making by them or on their behalf of contracts for the supply of goods or materials or for the execution of works.
- Standing orders made by a local authority with respect to contracts for the supply of goods or materials or for the execution of works shall include provision for securing competition for such contracts and for regulating the manner in which tenders are invited, but may exempt from any such provision contracts for a price below that specified in standing orders and may authorise the authority to exempt any contract from any such provision when the authority are satisfied that the exemption is justified by special circumstances.
- A person entering into a contract with a local authority shall not be bound to inquire whether the standing orders of the authority which apply to the contract have been complied with, and non-compliance with such orders shall not invalidate any contract entered into by or on behalf of the authority.

6. S.135 (3) confirms that, in England or Wales, a local council may adopt standing orders which exempt contracts from a tendering exercise if they are below a certain value or if specific circumstances apply. The Contracts Finder/ find a tender and other light touch provisions of the 2015 Regulations apply in England only to contracts valued above £30,000. This means that councils in England may have standing orders which confirm that contracts valued at £30,000 or below are exempt from a tendering or procurement exercise. Councils in Wales are not subject to this limit but this figure is included in NALC's model standing orders and financial regulations for Wales. A council's standing orders (and financial regulations) need to confirm the procurement requirements (if any) that will apply for the award of a new contract, which will be dependent on its value (or special circumstances). It is recommended that a council's standing orders (and financial regulations) confirm if contracts below a certain value (for councils in England, this means contracts valued at £30,000 or below) are exempt from a tendering or procurement exercise. It is also recommended that the council's standing orders and financial regulations confirm that the procurement of contracts over a certain value (for councils in England, this means contracts over £30,000) will be subject to the requirements in 2015 Regulations.
- B. Which bodies are covered by the 2015 Regulations?
7. The 2015 Regulations imposes procurement requirements on "contracting authorities" which include local authorities (and therefore includes local councils), associations formed by one or more such authorities (e.g. County Associations) and "bodies governed by public law" (e.g. government departments, NHS trusts, maintained schools and Academy schools) (Regulation 2 of the 2015 Regulations). "Bodies governed by public law" includes an organisation set up for the general as opposed to commercial interest, with its own legal status, and which is financed or managed by a local authority. If a local council is the sole or managing trustee of a charity, appoints most of the trustees or grants the majority of the charity's income that charity will be subject to the 2015 Regulations.

Which contracts are covered by the 2015 Regulations?

8. The 2015 Regulations apply to "public contracts" which are defined as "contracts.... having as their object the execution of works, the supply of products or the provision of services." Regulation 2 of the 2015 Regulations defines each of those three contracts as follows:

"public service contracts" meaning public contracts which have as their object the provision of services other than those referred to in the definition of "public works contracts";

"public supply contracts" meaning public contracts which have as their object the purchase, lease, rental or hire-purchase, with or without an option to buy, of products, whether or not the contract also includes, as an incidental matter, siting and installation operations;

“public works contracts” meaning public contracts which have as their object any of the following:—

- the execution, or both the design and execution, of works related to one of the activities listed in Schedule 2 (see paragraph 9 below);
 - the execution, or both the design and execution, of a work;
 - the realisation, by whatever means, of a work corresponding to the requirements specified by the contracting authority exercising a decisive influence on the type or design of the work;
9. The activities in Schedule 2 to the 2015 Regulations which are included in the definition of a “public works contract” include site preparation, demolition of buildings, construction of new buildings, erection of roofs, bricklaying, scaffolding, insulation work, plumbing, plastering, joinery installation, floor and wall covering and painting and glazing, civil engineering works and construction of highways, roads, airfields and sport facilities.

Public contracts which are exempted from the 2015 Regulations

10. Regulations 7 to 12 provide that certain public contracts are exempted from the requirements of the 2015 Regulations. Regulation 10 confirms, for example, that contracts for the acquisition of land and buildings, legal services (legal advice and representation), bank services are exempted. In the context of local authorities, Regulation 12, for example, excludes:
- a contract with an incorporated body, controlled by a local authority, where more than 80 % of the body’s activities are controlled by the local authority and there is no private sector ownership of the body, with certain exceptions;
 - a contract between two or more local authorities who come together to provide a public service to achieve objectives they have in common and that the joint venture is governed solely by considerations relating to the public interest (e.g. where a parish council enters into arrangements with a principal council) and
 - an incorporated body which is a contracting authority awards the contract to its controlling local authority or to an incorporated body controlled by the same local authority;

C. Advertising requirements

Brexit – transitional advertising arrangements

31 December 2020 marked the end of the transition period for the purposes of leaving the EU. There are new advertising requirements, with the introduction of “find a tender”. Government guidance, which also includes procurement policy notes, FAQs and a flow chart, sums up the main points <https://www.gov.uk/guidance/public-sector-procurement-from-1-january-2021>

Below is a summary of the post 31 December 2020 changes:

1. Find a Tender went live at the end of the transition period (23:00 on 31 December 2020) - <https://www.find-tender.service.gov.uk/Search>
2. Procurements on OJEU/TED that were commenced prior to the end of the transition period must be concluded on OJEU/TED.
3. New procurements commenced after the end of the Transition Period must be advertised on Find a Tender.
4. Requirements to advertise on [ContractsFinder](#) and [Sell2Wales](#) remain unchanged (see below).

The Contracts Finder website and other light-touch rules in 2015 regulations (England only)

11. Where the estimated value of a public contract exceeds £30,000 a local council in England must comply with Articles 109 to 114 of the 2015 Regulations (in addition to section 135 of the 1972 Act). Regulation 110, which concerns the advertisement of a contract opportunity, is summarised below.
 - Subject to the above paragraph on the changes post 31 December 2020, a council must advertise the contract opportunity on the “Contracts Finder” website when it advertises the contract opportunity elsewhere. A council will have advertised a contract opportunity elsewhere if it does anything to put the opportunity in the public domain or bring the opportunity to the attention of economic operators generally or to any class or description of economic operators which is potentially open-ended, with a view to receiving responses from economic operators who wish to be considered for the award of the contract (e.g. places details of the opportunity on its website, in a newspaper or a trade paper);
 - A council does not advertise an opportunity where it makes the opportunity available only to a number of particular economic operators who have been selected for that purpose (whether ad hoc or by virtue of their membership of some closed category such as a framework agreement), regardless of how it draws the opportunity to the attention of those economic operators (i.e. if a council has an arrangement with a

limited number of approved organisations to undertake work for the council); Regulation 33 defines a “framework agreement” as an agreement between one or more contracting authorities and one or more economic operators, the purpose of which is to establish the terms governing contracts to be awarded during a given period, in particular with regard to price and, where appropriate, the quantity envisaged. Contracting authorities may conclude framework agreements if they apply the procedures in Part 2 of the 2015 Regulations. Regulation 33 provides that framework agreements should not exceed 4 years except in exceptional circumstances. A council must advertise the contract opportunity on Contracts Finder within 24 hours of advertising it elsewhere;

- The information to be published on Contracts Finder shall include at least the following:
 - (a) the time by which any interested economic operator must respond if it wishes to be considered; (b) how and to whom such an economic operator is to respond; and (c) any other requirements for participating in the procurement;
 - Where a council publishes information on Contracts Finder it must — (a) by means of the internet, offer unrestricted and full direct access free of charge to any relevant contract documents; and (b) specify in the information published on Contracts Finder the internet address at which those documents are accessible;
 - A council may advertise the contract opportunity on the “Contracts Finder” website when it does not advertise the contract opportunity elsewhere;
 - It must have regard to guidance issued by the Minister for the Cabinet Office.
12. Regulation 111 provides that councils cannot include a pre-qualification stage. A “pre-qualification stage” is defined as “a stage in the procurement process during which the contracting authority assesses the suitability of candidates to perform a public contract for the purpose of reducing the number of candidates to a smaller number who are to proceed to a later stage of the process.” A council may ask tenderers to answer “suitability assessment question” which is defined as relating “to information or evidence which the contracting authority requires for the purpose of assessing whether candidates meet requirements or minimum standards of suitability, capability, legal status or financial standing” if the questions are relevant to the subject-matter of the procurement; and proportionate. Councils must have regard to guidance issued by the Minister for the Cabinet Office which can be accessed via www.gov.uk/government/collections/procurement-policy-notes
13. Regulation 113 provides that councils must ensure that contracts contain suitable provisions stating that valid undisputed invoices will be paid by within 30 days. Public contracts must also contain a condition requiring contractors to include similar provisions in their contracts, and

so on down the supply chain. Councils shall have regard to any guidance issued by the Minister for the Cabinet Office.

14. When a contract is awarded, a council, having regard to guidance issued by the Minister for the Cabinet Office, must publish on the Contracts Finder the information set out in Regulation 112. This includes:

- the name of the contractor;
- the date on which the contract was entered into;
- the value of the contract;
- whether the contractor is a SME (defined as an enterprise falling within the category of micro, small and medium-sized enterprises) or VCSE (defined as a non-governmental organisation that is value-driven and which principally reinvests its surpluses to further social, environmental or cultural objectives).

15. A council may withhold information in paragraph 14 above from publication where its release

- would impede law enforcement or would otherwise be contrary to the public interest,
- would prejudice the legitimate commercial interests of a particular economic operator, whether public or private, or
- might prejudice fair competition between economic operators

16. The above is a summary of the main requirements in relation to use of the Contracts Finder website. Councils are recommended to read the 2015 Regulations which can be accessed via www.legislation.gov.uk/ukxi/2015/102/contents/made

- D. Complex requirements in the 2015 Regulations for high-value contracts

17. The 2015 Regulations incorporated the Public Contracts Directive 2014/24/EU (“the Public Contracts Directive”). In its simplest terms, the Public Contracts Directive facilitates the award of certain contracts to any business entity in the EU.

Financial thresholds

18. Even if the procurement and award of a contract is covered by the 2015 Regulations (see paragraphs 8 and 9 above) and is not an exempted contract (see paragraph 10 above) it will not be subject to the full requirements of the 2015 Regulations unless its estimated value exceeds the thresholds issued by the UK Government in the form of [Policy Procurement Note 10/21](#). As a result of Brexit, the UK Government and devolved administrations must now ensure procurement thresholds are aligned with the World Trade Organisation’s thresholds,

which are contained in its Government Procurement Agreement (“GPA”). One of the most notable impacts of this change to GPA alignment is that contract value estimations must now be inclusive of VAT. Under previous EU rules, procurement thresholds were net of VAT. As a result of this change local councils will need to carefully consider whether or not VAT will apply to relevant contracts. The figures below apply from 1 January 2024. As already mentioned in paragraphs 3 and 4 above, the current thresholds are:

| Type of contract | Threshold |
|--------------------------|------------|
| Public works contracts | £5,372,609 |
| Public service contracts | £214,904 |
| Public supply contracts | £214,904 |

19. Few contracts to be awarded by local councils will exceed the thresholds above but, if they do, they will be subject the requirements summarised in paragraph 21 below.
20. As noted above, contracts procured by councils in England which are worth over £30,000 but less than the thresholds in paragraph 18 above will still be subject to the Contracts Finder website and other light touch provisions in the 2015 Regulations summarised in paragraphs 11 – 16 above.

Procedural requirements

21. Contracts awards exceeding the thresholds in paragraph 18 above are detailed and complex. It is likely that councils considering such high value contracts will require technical and or legal advice from those who specialise in public procurement. Set out below is a very brief overview of the full requirements of the 2015 Regulations – where they apply.
 - Procurement must take one of five forms; the open procedure, the restricted procedure, competitive dialogue, the innovations partnership procedure; and competitive procedure with negotiation;
 - Accelerated forms of the open procedure and competitive procedure with negotiation and the restricted procedure in situations of urgency that a local council can duly substantiate;
 - There is a pre-qualification stage;
 - Councils will need to comply with the requirements in respect of tenders;

- Contracts should be awarded on the “most economically advantageous tender (Regulation 67);
- Contracts can be varied without going through a new procurement exercise in specified situations. (Regulation 72); and
- Contracts should be advertised on the Find a Tender/ Contracts Finder website (Regulation 106) – see paragraph 10 above and for the guidance on publishing in the Official Journal of the European Union (OJEU);

N.B. Central purchasing activities (where one body does purchasing for a series of organisations) are covered by the 2015 Regulations.

Other Legal Topic Notes (LTNs) relevant to this subject:

| LTN | Title | Relevance |
|-----|-------------------|--|
| 15 | Legal Proceedings | Useful for threatened or actual legal proceedings relating to contract disputes. |
| 29 | Basic Charity Law | Explains responsibilities of council as a charity trustee. |
| 35 | Contracts | Guide to basic contract law. |

WOUGHTON COMMUNITY COUNCIL

Operations and Resources Committee – 11th March 2024

Agenda Item OC 108/24

PURPOSE OF REPORT: To update the committee on upcoming legislation around prevention of sexual harassment in the workplace.

RECOMMENDATION:

1. That the committee notes the report.
2. That the committee tasks officers with the development of a suitable policy and procedure, engaging with the organisation widely (officers and councillors) to help define the policy.
3. That this should include a shortened version that can be displayed within buildings to ensure all are aware of their duties.
4. That these are brought to this committee prior to the proposed implementation in October, with an agreement in place by July 2024 (on the understanding that this may change once law is implemented).

MAIN ISSUES AND CONSIDERATIONS:

From October 2024 new legislation (s40A Equality Act 2010) will create additional legal requirements for Councils, along with all Employers, to take proactive steps to prevent Sexual Harassment at Work. Councils will not be able to simply rely on paper-based training and policies within staff handbooks to defend themselves against claims of Harassment. Instead, they will need to take pro-active steps to demonstrate that they are preventing the problem.

Although the Government has not yet issued a step-by-step guide as to what proactive steps are, the following Town/Parish Council specific guidance notes have been developed from the Equality and Human Rights Commissions as recommendations for all Employers.

- The Full Council, or a Committee with delegated responsibility, will need to review existing procedures, including defining what constitutes harassment, steps to take should the problem arise, protection the Council will provide to those reporting it, and sanctions against offenders. As a result, a policy and procedure that is specific to the needs of the Council should be drafted. At WCC, this would fall within the purview of the Operations Committee, but would need to be shared widely across all officers, volunteers and councillors.
- Staff should be consulted on the draft policy and procedure, to get their suggested adjustments, as well as commitment to the document.
- The document should be issued to Councillors, staff and displayed in public areas.
- All Councillors and staff should either attend a briefing session regarding how the new/updated policy and procedure works or be required to read the document and sign it to confirm that they understand and will comply with it. *It is recommended that this be included in one of the training sessions that have been proposed, as well as part of the document sign off that includes the Code of Conduct, etc.*

- This will need to be repeated on an annual basis to ensure that the training doesn't become outdated. Provision of annual training would enable the Council to demonstrate that it has taken reasonable steps to prevent the problem. This can provide the Council with a valuable defence if it has to defend a claim of Sexual Harassment at the Employment Tribunal.
- The policy and procedure should include a simple and user-friendly reporting process should problems occur, as well as set out what action will be taken against offenders. For example, Employees who are found to have committed acts of Sexual Harassment would be accused of Gross Misconduct.
- Elected Members who are accused of Sexual Harassment may have breached the Integrity Standard of the Code of Conduct. In these circumstances the Council could report the problem to the Principal Authority Monitoring Officer, asking for the matter to be addressed promptly and without undue delay.

All Councillors and Employees of the Council should be fully aware of the Policy and Procedure, and understand how it can be implemented.

From October 2024 Councils could face a surcharge of 25% on top of any compensation awarded to an Employee who successfully makes a claim of Sexual Harassment at an Employment Tribunal, if a Council cannot demonstrate how they have complied with the new rules.

STAFFING IMPLICATIONS:

OTHER IMPLICATIONS:

BACKGROUND PAPERS:

AUTHOR

Steve McNay – Council Manager

WOUGHTON COMMUNITY COUNCIL

Operations and Resources Committee – 11th March 2024

Agenda Item OC 109/24

PURPOSE OF REPORT: To update the committee on new duties regarding biodiversity

RECOMMENDATION:

1. That the committee notes the report and attached papers.
2. That the committee tasks the Green Working Group with developing an approach to ensure compliance with the new duty, building on what has happened to this point
3. That this approach, including details of what / where / when / whom, is presented to this committee for formal ratification.

MAIN ISSUES AND CONSIDERATIONS:

Under the 2021 Environment Act, public authorities (including town and parish councils) operating in England must consider what they can do to conserve and enhance biodiversity. This included a duty to have a first 'consideration' by 1st January 2024, which was covered by the development of papers and discussions around the creation of the Green Working Group (GWG). This now needs a more formal approach to be taken.

There is some (extremely limited) guidance which suggests that, *as a minimum*, WCC could:

- *have biodiversity as an agenda item for a meeting before the end of 2023.*
- *note what action they are already taking to conserve and enhance biodiversity.*
- *agree what further steps they should take to conserve and enhance biodiversity.*

Such steps may include:

- *reviewing what biodiversity or nature recovery plans are already in place from other local authorities, e.g. potential for jointly-supported wildlife corridors.*
- *making contact with local voluntary groups working on nature conservation.*
- *carrying out a biodiversity audit of council landholdings and/or the whole council area, potentially involving residents in a "BioBlitz"*
- *drafting an action plan that covers action that the council will take itself as well as support for the actions of other local bodies.*

It is anticipated that the work of the GWG would exceed these expectations and provide a comprehensive plan, covering all aspects of the councils delivery, as well as starting to look more widely at the parish as a whole.

There are also some workshops that may help support this work;

BMKALC is supporting the creation of [a Local Nature Recovery Strategy \(LNRS\)](#) for Buckinghamshire and Milton Keynes, and we want to hear what you, our members, think.

How can you join the workshop?

Register now to join one of the interactive workshops to voice your thoughts on what nature in our area should look like in the future! There are two workshop times available - 10am to 1pm OR 2pm to 5pm. Please choose the one that suits you, via the [registration form](#). Please register for only **one** of the two sessions. We also request that you only send **one** representative from your Council to enable as many councils as possible attending. We are limited to 25 attendees per session.

Date: Monday, April 8th, 2024 10am - 1:00pm **or** 2pm to 5pm

Cost: Free to Attend

Venue: Mezzanine Room 1, Bucks Council, Walton Street Office, Aylesbury, HP20 1UA

[Registration](#) closes on March 15th, 2024

What is the Local Nature Recovery Strategy and why is it important?

The LNRS will help to shape what nature will look like in the future in Buckinghamshire and Milton Keynes. Through a written document and a map, the strategy will identify the actions that should be taken to improve and create natural spaces so that nature can best provide its range of benefits to wildlife and people. LNRSs are a nation-wide initiative required by the Government and LNRSs across the country will work together to form a national Nature Recovery Network.

What will the workshop involve and why should you join?

Through a series of interactive activities, we will:

- Gather your perspective on what is needed in the area with respect to nature.
- Understand the best way to communicate the LNRS, once it is created.

The LNRS will inform local planning, Biodiversity Net Gain (BNG), and some agricultural land management schemes. Joining the workshop ensures that your priorities with respect to nature in Buckinghamshire and Milton Keynes are considered, and that the LNRS reflects local ambitions and needs.

There is also a full day in Aylesbury planned for later this year, focusing on all things green – I know that some officers and councillors have already signed up for this - **Achieving Biodiversity: Turning Council Goals Into Action – June 17th The Oculus Aylesbury 10am to 3pm**

This full day biodiversity seminar is being run in partnership with BMKALC and Berk, Bucks and Oxon Wildlife Trust to inspire and empower Town Council and Parish Councils to take action for nature locally.

STAFFING IMPLICATIONS:

This sits within the remit of the Environment team and within the Green Working Group, so should be manageable within the existing staffing levels and structures.

OTHER IMPLICATIONS:

BACKGROUND PAPERS:

OC 10924a Model Template and Notes Biodiversity Policies

AUTHOR

Steve McNay – Council Manager

RESPONSE TO THE BIODIVERSITY DUTY

INTRODUCTION - STATUTORY DUTY

Under the 2021 Environment Act, public authorities (including town and parish councils) operating in England must consider what they can do to conserve and enhance biodiversity.

Government guidance published on 17 May 2023 clarifies that, as a public authority, town and parish councils must:

- consider what they can do to conserve and enhance biodiversity.
- agree policies and specific objectives based on their consideration.
- act to deliver their policies and achieve their objectives.

Town and parish councils, unlike other authorities, are not obliged to publish a Biodiversity Report on their actions, but the Government guidance requires all public authorities to complete their first consideration of what action to take for biodiversity by 1 January 2024. They must agree their policies and objectives as soon as possible after this and must reconsider the selected actions within five years of completing their previous consideration, or more frequently if they choose.

To comply with the guidance, town and parish councils **could** as a minimum:

- have biodiversity as an agenda item for a meeting before the end of 2023.
- note what action they are already taking to conserve and enhance biodiversity.
- agree what further steps they should take to conserve and enhance biodiversity.

Such steps may include:

- reviewing what biodiversity or nature recovery plans are already in place from other local authorities, e.g. potential for jointly-supported wildlife corridors.
- making contact with local voluntary groups working on nature conservation.
- carrying out a biodiversity audit of council landholdings and/or the whole council area, potentially involving residents in a "BioBlitz"
- gathering expert advice on possible actions in support of biodiversity, such as from Caring for God's Acre and the Eco Church initiative in respect of churchyards
- drafting an action plan that covers action that the council will take itself as well as support for the actions of other local bodies.

Whatever action is agreed, as a minimum local councils could ensure they address biodiversity concerns when commenting on planning applications.

All these steps may inform an agreed biodiversity policy for which a model example is attached. BMKALC will be co-hosting a seminar day with Local Nature Recovery Scheme for both Buckinghamshire and Milton Keynes area in March 2024. Buckinghamshire is one of five areas in the country to trial the development of a Local

Nature Recovery Strategy ([LNRS](#)). LNRS are a new way of helping nature by identifying which characteristics are most important at a local level to focus action and investment. The aim is to help nature and people flourish together. The LNRS draws on work already done locally, such as through the [Buckinghamshire and Milton Keynes Natural Environment Partnership](#). The LNRS was established in the Environment Bill 20212.

BIODIVERSITY POLICY TEMPLATE

BACKGROUND

In accordance with the duty imposed on town and parish councils by Section 40 of the Natural Environment and Rural Communities Act 2006, updated by Section 102 of the Environment Act 2021, **Woughton Community Council** (hereinafter referred to as the Council) which has any functions exercisable in relation to England must from time to time consider what action the authority can properly take, consistently with the proper exercise of its functions, to further the general biodiversity objective.

This duty also means that town and parish councils can spend funds in conserving biodiversity.

DEFINITION

According to Defra (Biodiversity 2020), biodiversity is the variety of all life on Earth. It includes all species of animals and plants – everything that is alive on our planet.

Biodiversity is important for its own sake and has its own intrinsic value. A number of studies have shown this value also goes further. Biodiversity is the building block of our 'ecosystems' that in turn provide us with a wide range of goods and services that support our economic and social wellbeing. These include essentials such as food, fresh water and clean air, but also less obvious services such as protection from natural disasters, regulation of our climate, and purification of our water or pollination of our crops. Biodiversity also provides important cultural services, enriching our lives.

AIMS AND OBJECTIVES

The object of this policy is to work towards conserving and enhancing the biodiversity of the Council's area.

The Full Council and any committees of the Council will consider sustainability, environmental impact and biodiversity when making decisions and will develop and implement policies and strategies as required.

In particular, the Council will aim to improve the biodiversity of the area in the following ways:

- consider the potential impact on biodiversity represented by planning applications.
- manage its land and property using environmentally friendly practices that will promote biodiversity.
- support local businesses and council operations in the adoption of low impact / nature positive practices.
- encourage and support other organisations within the **parish** to manage their areas of responsibility with biodiversity in mind.
- support residents and local organisation activities to enhance and promote

biodiversity.

ACTIONS

Planning applications

The Council will:

- when commenting on planning applications, support site and building design that benefits biodiversity through the conservation and integration of existing habitats or provision of new habitats.
- support protection of sensitive habitats from development and will consider whether the development would mean the loss of important habitats for wildlife in respect of all applications.
- consider what each proposed development might make in terms of biodiversity net gain.
- include policies in support of biodiversity within the neighbourhood plan.

Land and property management

The Council will:

- carry out a biodiversity audit of its landholdings.
- consider the conservation and promotion of local biodiversity with regard to the management of its open spaces. This will include adopting beneficial practices with regarding to cutting and removal of vegetation, application of chemicals and timing of maintenance work, paying attention to the Government's regulations for plant protection products.
- take special care in the specification of grounds maintenance contracts to ensure that the work, whilst reaching acceptable standards, does not harm the natural environment.
- source sustainable materials when procuring supplies for the Council's use
- consider biodiversity issues and the implementation of changes when managing its buildings.

Local community

The Council will:

- raise public awareness of biodiversity issues, including through its website and newsletters.
- engage with local businesses and residents regarding biodiversity in the community and how members of the community can assist and make a difference.
- where feasible, involve the community in biodiversity projects on its land including for
- example tree planting, wildflower meadows, birdbox making.

Partners

The Council will work in partnership with other organisations to protect, promote and

enhance biodiversity within the council area.

It will review any local nature recovery strategies, species conservation strategies, or protected site strategies in respect of local Sites of Special Scientific Interest (SSSIs) and consider how it may become more involved in implementing the strategies' recommendations.

MONITORING

This policy was adopted on **xx** (Minute reference **yy**) and will be reviewed in two years or sooner should legislation dictate / each year at the Annual Meeting. A summary of how the policy has been implemented will be published annually, with reference to the original biodiversity audit to show progress.

DRAFT MODEL ACTION PLAN

| SITE / OBJECTIVE | ACTION | OUTCOME | TARGET (Years) | REPORTING / PUBLICITY |
|----------------------------------|--|---|----------------|-----------------------------------|
| Whole council area | Raise local awareness of biodiversity. | Gain local support for action. | Ongoing | Newsletter, social media, website |
| Protect and support biodiversity | Encourage suitable planting to support biodiversity. | Connect & diversify habitats to meet the needs of a variety of wildlife species | Ongoing | Mapping |
| Cemetery / churchyard | Additional planting Maintain and renew bird boxes as required. Adopt a plan to support wildlife and diversity whilst maintaining the site in a way which enables visitors to experience quiet and calm remembrance. Leave leaf litter and dead vegetation wherever possible as a habitat for invertebrates. | Increased diversity of habitats and food sources Increased cover for invertebrates, reptiles, amphibians and small mammals. Encouraging insects particularly butterflies and bees. | | |
| Recreation ground | Sympathetically maintain hedging. Leave some areas unmown. Only use environment friendly pesticides where absolutely necessary and only in ideal weather conditions. | Food sources and cover Encourages insects. Sustain and enhance natural habitats. | | |
| Common / other open spaces | Adopt a management plan. Encourage residents to remove litter and pick up after their dogs. Work with the county council on verge management, favouring biodiversity but noting which areas may need cutting for highway safety. | Sustain and enhance natural habitats. Protecting habitats Protecting/enhancing habitats Regular attention. | | |

| | | | | |
|--|---|--|--|--|
| | Encourage residents to adopt areas to look after, making it clear what is expected e.g. peat free compost and no chemicals. | | | |
|--|---|--|--|--|

| SITE / OBJECTIVE | ACTION | OUTCOME | TARGET (Years) | REPORTING / PUBLICITY |
|--|---|--|----------------|---------------------------------|
| The Built Landscape | Ensure that planning consultations are considered against the requirements of the Neighbourhood Plan Encourage hedgehog/small animal highways with permeable boundaries | Protecting/enhancing habitats Extending habitats. | Ongoing | |
| Increase community awareness of biodiversity | Ask residents for their views on what they would like to be done to conserve biodiversity within the parish. Raise awareness of the importance of gardens as habitats for wildlife, with possible actions highlighted in the parish magazine. Create a page on the parish council website for photographs / information / links Encourage local farmers to contribute. Provide seed bombs / bulbs etc. for residents' use. Discourage floodlighting. | Engagement/ownership of biodiversity Promote biodiversity. Promote biodiversity. Promote biodiversity. Extending habitats. Protect nocturnal animals. | Ongoing | Neighbourhood plan consultation |

| | | | | |
|----------------------------------|--|---|--|--|
| Support Community Projects | <p>Support hedge/tree planting in any appropriate areas.</p> <p>Work in partnership with the school to develop young people’s awareness of the environment around them.</p> <p>Consider events and offer volunteering opportunities to support biodiversity, working with local organisations.</p> | <p>Extending habitats. Promote biodiversity.</p> <p>Promote biodiversity.</p> | | |
|----------------------------------|--|---|--|--|

Priorities for any investment into Public Realm.

Following a recent trip round the parish to see whether there was potential for some investment through the Shared Prosperity Fund, the following ideas have been put forward. I would appreciate feedback so that any appropriate bids can be made.

Car Park – Lloyds (CH)

To resurface, clear surrounds, paint parking spaces and make it more than a dumping ground. Aim to alleviate some of the parking issues and reduce fly-tipping, rubbish and similar.



Use the green space for additional parking (LH)

The empty space on Leadenhall to be used as overflow parking whilst any further development proposals are considered. Potential for significant space creation.



Tidy of Peartree Lane (CH / LH)

To edge, clear, sweep, etc this key route through the parish.



Clear up of space next to Leisure Centre (LH)

With a view to improve the space, reduce the ASB, fly tipping, etc. and make the area more visually attractive, reducing the risk of further issues.



Garage Areas and local centre (ES)

Generally wasted space and run down and unloved. This links to some of the 'pocket park' spaces where equipment has been removed and the potential for some additional work to improve. Local centre is in need of some TLC and general tidying up, plus the 'triangle' area, which is rotten .



Canalside tidying and playpark improvements (PB)

To repaint the railings, remove inappropriate planting, edge / clear / strim / etc. alongside the canal, plus address the 'pocket parks' and areas to the rear of Waterside houses.



Local Centre plus general bits and bobs (TB)

Some reinstatement of the cover at the local centre, plus works to the left of the local centre to create a more suitable space for the community. Plus potential for additional parking on verges.



Meeting Place, Alphabet / Owl and Pussycat Park, garage areas (NF)



Improvements to the Tin Man park, for communtiy safety (BH)

Cutting back, to make more visible, alongside changes to equipment and layout to promote healthy, safe play for children and families.



Railings (metal and ascot), park improvements and alley changes (CH)

A variety of relatively small changes on the estate which would include painting of existing railings, reinstatement of ascot (or similar) around the school and improvements to parks and alleys, making them clearer and easier to use.



There may be other ideas for public realm changes – they do need to meet the agreed criteria, but these are relatively wide and can encompass a range of ideas.