

CHRISTCHURCH PARISH COUNCIL

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Clerk: Dave Gibbs

To Members of the Public and Press

6 November 2024

You are invited to attend a meeting of Christchurch Parish Council
to be held in Christchurch Community Centre
for the purpose of transacting the following business.

On Monday 11 November 2024 at 7.30pm

**Members of the public and press are invited to address the Council
at its Public Time from 7.35pm to 7.50pm**

Yours truly

Dave Gibbs

(Clerk/Proper Officer)

AGENDA

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

102/24-25 Apologies for Absence

103/24-25 Chairman's Announcements

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

104/24-25 Middle Level Commissioners

Presentation from Jonathan Fenn, MLC Head of Operations & Water Level Management and Mark Pickering from Balfour Beatty on the current programme of desilting works

105/24-25 Public Time

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

106/24-25 Confirmation of Minutes

To approve and sign the minutes of the meeting held on 14 October 2024

107/24-25 Matters Outstanding

- a) Household items outside property in Upwell Road
- b) Wayside Estate pedestrian safety
- c) Litter bin outside former village shop
- d) Cambridgeshire Fire & Rescue Service visit
- e) Parish Council duty under Section 40 of NERC 2006

108/24-25 Police Report

To receive a report on policing matters in the area over the last month

109/24-25 County & District Councillors Reports

To receive reports from Cllrs Count, French, Roy and Summers

110/24-25 Clerk's Report

To receive a report on meetings attended and correspondence received

111/24-25 Members and Residents Issues

To consider any matters raised by Members of the Council and local residents

112/24-25 Recreation Ground Extension

To receive a report on progress since the last meeting

113/24-25 Bus Shelter Project

To receive a report on progress since the last meeting

114/24-25 Recreation Ground

To consider matters pertaining to the maintenance of trees and other vegetation and the cutting of the grass

115/24-25 Highways

- a) To consider potential projects for the Local Highway Improvements application for 2025/26
- b) To consider potential projects for the County Council's Capitially Funded Highway Maintenance Schemes for 2025/26

116/24-25 Fenland District Council Infrastructure Delivery Plan

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

117/24-25 Fens Reservoir - EIA Scoping Consultation

To determine the Council's response to the Environmental Impact Assessment scoping opinion consultation

118/24-25 Finance

To consider and resolve on the following matters:

- a) To receive an updated financial statement for the period to the end of October
- b) To note the 2024/25 Local Government pay settlement
- c) To note the following sums received:
 - Fenland District Council (precept)..... £ 9,250.00
 - NatWest Bank (interest) £ 13.23
- d) To note the following sum paid by direct debit:
 - Information Commissioner's Office (registration)..... £ 35.00
- e) To approve the following payment:
 - Clerk salary and home office allowance (inc backpay)..... £ 598.17
- e) To consider projects for inclusion in the budget for 2025/26

119/24-25 Policies and Procedures

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

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

120/24-25 Public Time

To receive comments and suggestions from members of the public

121/24-25 Matters for Next Meeting

To discuss future agenda items from Councillors

122/24-25 Date of Next Meeting

To confirm the date of the next meeting of the Council as Monday 9 December

CHRISTCHURCH PARISH COUNCIL

Minutes of a Meeting of Christchurch Parish Council held in the Community Centre on Monday 14 October 2024 at 7.30pm

Present: Cllrs J Hughes (Chairman), J Bliss, B Burfield, R Feeney, J Hayes, A Sparrow, D Gibbs (Clerk), four parishioners

086/24-25 Apologies for Absence

Cllr S Potter, Cllr S Count (CCC), Cllr D Roy (FDC), Cllr M Summers (FDC)

087/24-25 Chairman's Announcements

The Chairman announced the passing of former Christchurch resident and renowned chef Richard Hughes.

088/24-25 Public Time

A resident asked whether it would be possible to have Public Time at the end of each meeting to allow residents to comment on issues discussed during the meeting. Members agreed to include a second Public Time on the agenda for the next meeting. Cllr Hayes noted that Kimberlea House is not included on the agenda for the meeting. The Clerk explained that the Council has no powers to intervene in this matter but will continue to provide advice when appropriate. Residents thanked Cllr Hayes for her ongoing support.

089/24-25 Confirmation of Minutes

The minutes of the meeting held on 9 September were correctly recorded and signed as being a true record.

090/24-25 Matters Outstanding

- a) Affordable housing proposal - The report on the initial survey has shown sufficient demand for the proposal to be taken forward.
- b) Household items outside property in Upwell Road - Awaiting action from Clarion Housing Group.
- c) Wayside Estate pedestrian safety - The Clerk reported that a meeting has been arranged with the new Local Highway Officer on 21 October.
- d) Litter bin outside former village shop - The bin should be relocated soon.
- e) Cambridgeshire Fire and Rescue Service visit - Cllr Hughes will contact the Breakfast team to arrange a suitable date.
- f) Parish Council duty under Section 40 of NERC 2006 - In Cllr Potter's absence this was deferred to the next meeting.

091/24-25 Police Report

The Clerk reported that no meetings have taken place. PCSO Norton-Smith attended the meeting regarding issues at Kimberlea House.

092/24-25 County & District Councillors Reports

Cllr Roy submitted a report to the meeting. The original notices relating to the caravan at Syringa House were withdrawn and new notices are being issued. The Leader of the Council wrote to the Chancellor urging a review of the winter fuel allowance. Minor amendments have been made to the rules contained in the planning constitution.

The Code of Procurement has been revised and will be implemented on 24 February 2025 in line with proposed legislation. This should provide more opportunities for local businesses to tender for contracts.

093/24-25 Clerk's Report

The Clerk reported on correspondence received, including the completion of the March High Street project, District Council consultations on the infrastructure delivery plan, the draft gambling policy, and local validation requirements for planning applications, an update on the retendering of the street light maintenance contract, tougher penalties for fly-tipping and littering, the Combined Authority's bus franchising consultation, the National Association of Local Councils' new website, a Plunkett UK webinar on transforming vacant spaces and the relaunch of the Green Energy Switch free appliance scheme.

094/24-25 Members and Residents Issues

Cllr Feeney reported that he had been approached by the licensee of the Dun Cow public house seeking support for their holiday lettings proposals. The Clerk advised the meeting that no expression of support could be offered until the planning application is submitted.

Cllr Hayes asked who is responsible for the trees in the Recreation Ground. The Clerk explained that the Recreation Ground charity is responsible, but the Council has previously undertaken work. Members agreed to inspect the trees to consider options for future maintenance.

095/24-25 Recreation Ground Extension

The contractor has suggested preparing the ground and sowing the grass during the winter months. Members questioned whether this should be delayed until the spring. They agreed that a cut should take place now but that spraying, preparing the ground and drilling should wait. Quotes are being obtained for the installation of an access culvert, telegraph poles and bird boxes.

096/24-25 Bus Shelter Project

The Clerk will discuss the provision of the highways map with the Local Highways Officer when they meet.

097/24-25 Planning

Members considered the following application:

F/YR24/0800/TRTPO - Works to 6no Yew, 1no Horse Chestnut, 1no Holly, 3no Lime and 1no Sycamore Tree covered by TPO 01/1986 - The Old Rectory, 25 Church Road, Christchurch

They resolved to offer no objection.

098/24-25 Highways

The Chairman reported that the Local Highway Improvement application for no overtaking lines and signs at the junction of Upwell Road and Sixteen Foot Bank had been successful, achieving the highest score of this year's applications. Works will commence once the detailed drawings have been prepared.

099/24-25 Finance

a) The management accounts as at 30.9.24 showed income of £12,077.52 and expenditure of £15,291.38, resulting in a shortfall of £3,213.86 and total funds held of £39,205.97.

b) Members noted the following sums received since the last meeting:

Barclays Bank (interest).....	£	75.12
NatWest Bank (interest).....	£	13.67

c) Members approved the following accounts for payment:

Clerk salary and home office allowance	£	467.13
PKF Littlejohn LLP (audit fee)	£	252.00
Business Service at CAS Ltd (insurance).....	£	1,559.30

100/24-25 Matters for Next Meeting

Recreation Ground trees. Grass cutting contract.

101/24-25 Date of Next Meeting

The date of the next meeting of the Parish Council will be Monday 11 November.

DRAFT

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

Complying with the biodiversity duty

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

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

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

Who must comply with the biodiversity duty

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

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

When to meet your biodiversity duty

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

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

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

Consider relevant strategies

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

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

You must:

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

Local nature recovery strategies

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

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

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

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

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

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

Species conservation strategies

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

Protected site strategies

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

How your biodiversity duty helps achieve biodiversity goals and targets

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

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

By 2030, the government has committed to:

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

By 2042, the government has committed to:

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

Actions you could take

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

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

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

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

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

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

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

Manage land to improve biodiversity

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

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

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

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

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

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

These actions can save money while delivering benefits to biodiversity.

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

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

Make space for wildlife

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

You could:

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

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

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

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

Enhance protected sites

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

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

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

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

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

Actions in national parks or areas of outstanding natural beauty

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

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

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

Improve how you manage buildings

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

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

Educate, advise and raise awareness

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

For your policies, objectives and actions, you could:

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

Review internal policies and processes

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

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

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

Prepare for biodiversity net gain

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

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

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

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

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

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

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

Get help with your actions

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

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

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

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

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

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

Reporting your biodiversity policies and actions

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

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

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

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

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

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

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

Your biodiversity reports will:

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

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

Residential small sites will have either:

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

Non-residential small sites will have either:

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

Agenda Item No.	110/24-25	Christchurch Parish Council
Meeting Date	11 November 2024	
Report Title	Clerk's Report	

1. Purpose of Report

To report on meetings attended and correspondence received.

2. Report

Meetings attended:

Local Highways Officer - 21 October

Correspondence received:

Cambridgeshire County Council

Roadworks and events bulletins
Cambridgeshire Matters newsletter
Verge maintenance survey
Launch of LHI 2025/26

Fenland District Council

March Town Centre regeneration completed
The Fenlander newsletter
Carol Service invitation
Appeal for Christmas gifts for older people

NALC - Events update, Newsletter, Chief Executive's bulletin

CAPALC - training courses

Cambridge Council for Voluntary Service - AGM invitation

Cambridgeshire ACRE - Staying in Touch newsletter

Queen Elizabeth Hospital - Modernising our hospital newsletter

3. Recommendations

Members note the report.

Report Author	Dave Gibbs
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The Planning Inspectorate Yr Arolygiaeth Gynllunio

Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer Services: 0303 444 5000
e-mail: Fensreservoir@planninginspectorate.gov.uk

Your Ref:

Our Ref: WA010004

Date: 24 October 2024

Dear Sir/Madam

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11

Application by Anglian Water and Cambridge Water (the Applicant) for an Order granting Development Consent for the Fens Reservoir (the Proposed Development)

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

The Proposed Development is a Nationally Significant Infrastructure Project (NSIP), as defined in the Planning Act 2008 (as amended). A summary of the NSIP planning process can be found at the following link:

<https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-the-stages-of-the-nsip-process-and-how-you-can-have-your-say#preapp>

The Proposed Development is currently in the pre-application stage.

Environmental Statement (ES) and the scoping process

To meet the requirements of the EIA Regulations, Applicants are required to submit an ES with an application for an order granting development consent for any NSIP likely to have a significant effect on the environment. An ES will set out the potential impacts and likely significant effects of the Proposed Development on the environment. Schedule 4 of the EIA Regulations sets out the general information for inclusion within an ES.

The Applicant has asked the Planning Inspectorate on behalf of the Secretary of State for its written opinion (a Scoping Opinion) as to the scope, and level of detail, of the information to be provided in the ES relating to the Proposed Development. The Applicant has set out its proposed scope of the ES in its Scoping Report which is published on the 'Find a National Infrastructure Project' website:

<https://national-infrastructure-consenting.planninginspectorate.gov.uk/>



<https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/WA010004>

Before adopting a Scoping Opinion, the Planning Inspectorate must consult the relevant 'consultation bodies' defined in the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended).

The Planning Inspectorate has identified you as a consultation body which must be consulted before adopting its Scoping Opinion. The Planning Inspectorate would be grateful if you would:

- Inform the Planning Inspectorate of the information you consider should be provided in the ES; or
- Confirm that you do not have any comments.

If you consider that you are not a consultation body as defined in the EIA Regulations please let us know.

The deadline for consultation responses is **21 November 2024**. The deadline is a statutory requirement and cannot be extended. Any consultation response received after this date will not be included within the Scoping Opinion but will be forwarded to the Applicant for information and published on our website as a late response.

The Planning Inspectorate on behalf of the SoS is entitled to assume under Regulation 10(11) of the EIA Regulations that you do not have any comments to make on the information to be provided in the ES, if you have not responded to this letter by the deadline above.

To support the smooth facilitation of our service, we strongly advise that any responses are issued via the email identified below rather than by post. Responses to the Planning Inspectorate should be sent by email to Fensreservoir@planninginspectorate.gov.uk.

Please note that your response will be appended to the Scoping Opinion and published on our website consistent with our openness policy.

Please also note that this consultation relates solely to the ES scoping process. Further opportunities for you to engage with and provide views on the project more generally, will arise through the Applicant's own consultation. Applicants have a duty to undertake statutory consultation and are required to have regard to all responses to their statutory consultation.

Scoping Opinion

The Planning Inspectorate (on behalf of the Secretary of State) must adopt a Scoping Opinion within 42 days of receiving a scoping request. The Scoping Opinion will be published on the relevant project page of the 'Find a National Infrastructure Project' website at the end of the statutory period, or before if applicable.

The Applicant must have regard to comments made within the Scoping Opinion and the ES submitted with the future application must be based on the most recently adopted Scoping Opinion.

Applicant's name and address

As the Planning Inspectorate has been notified by the Applicant that it intends to prepare an ES, we are also informing you of the Applicant's name and email address:

<https://national-infrastructure-consenting.planninginspectorate.gov.uk/>

Anglian Water and Cambridge Water

info@fensreservoir.co.uk

Regulation 11(3) duty

You should also be aware of your duty under Regulation 11(3) of the EIA Regulations, if so requested by the Applicant, to make available information in your possession which is considered relevant to the preparation of the ES.

Spatial data

The Applicant has provided the Planning Inspectorate with spatial data for the purpose of facilitating the identification of consultation bodies to inform a Scoping Opinion (as set out in our Advice Page 'Nationally Significant Infrastructure Projects - Advice Note Seven: Environmental Impact Assessment: process, preliminary environmental information and environmental statements', available on the gov.uk website). Requests by consultation bodies to obtain and/or use the spatial data to inform its consultation response should be made directly to the Applicant using the contact details above.

If you have any queries, please do not hesitate to contact us.

Yours faithfully

Emily Park

**Emily Park
Senior EIA Advisor
on behalf of the Secretary of State**

This communication does not constitute legal advice.
Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.

<https://national-infrastructure-consenting.planninginspectorate.gov.uk/>

Christchurch Parish Council - Receipts & Payments Summary as at 31.10.24

Income	Year to Date	Budget	%
FDC Precept	£ 18,500.00	£ 18,500.00	100.00
FDC Concurrent Functions Grant	£ 2,567.00	£ 2,567.00	100.00
Allotment Rents	£ -	£ -	0.00
Allotment Rates	£ -	£ -	0.00
Community Centre	£ -	£ -	0.00
Grants	£ -	£ -	0.00
Donations	£ -	£ -	0.00
Recycling Credits	£ -	£ -	0.00
Bank Interest	£ 273.75	£ 200.00	136.88
VAT Refunds	£ -	£ 2,711.72	0.00
Miscellaneous	£ -	£ -	0.00
Total Income	£ 21,340.75	£ 23,978.72	89.00

Expenditure

Clerk's Salary	£ 3,269.91	£ 5,885.00	55.56
Fees	£ 360.00	£ 400.00	90.00
Subscriptions	£ 512.74	£ 550.00	93.22
Admin Expenses	£ 68.34	£ 700.00	9.76
Insurance	£ 1,559.30	£ 700.00	222.75
Drainage Rates	£ 106.66	£ 100.00	106.65
Recreation Ground	£ 6,300.30	£ 7,025.00	89.68
Churchyard	£ -	£ 745.00	0.00
Community Centre	£ -	£ 2,000.00	0.00
Street Lights	£ 3,433.09	£ 10,000.00	34.33
Section 137 Payments	£ -	£ 1,500.00	0.00
Highways	£ -	£ 1,000.00	0.00
Recoverable VAT	£ 1,998.32	£ 400.00	499.57
Tree Works	£ -	£ -	0.00
Miscellaneous	£ -	£ 500.00	0.00
Total Expenditure	£ 17,608.66	£ 31,505.00	55.89

Summary

Total Income	£ 21,340.75
LESS Total Expenditure	£ 17,608.66
Net Surplus or Deficit	£ 3,732.09

Balance Sheet

Balance B/fwd	£ 42,419.83
Surplus or Deficit	£ 3,732.09
Balance C/fwd	£ 46,151.92

Represented by

Barclays Community Account	£ 6,965.23
Barclays Business Premium Account	£ 20,161.47
NatWest Current Account	£ 7,901.43
NatWest Deposit Account	£ 11,123.79
Cash / Cheques	£ -
	£ 46,151.92

CHRISTCHURCH PARISH COUNCIL COMPLAINTS PROCEDURE

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

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

Date of Adoption: 11 November 2024

Minute ref: 119/24(a)

Contact details for the Parish Clerk:

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

For Correspondence to the Chairman:

J Hughes
Old Police House
40 Church Road
Christchurch
Wisbech
PE14 9PQ

Phone - 01945 870083

Email - clerk@christchurchparishcouncil.org.uk

Phone - 01354 638310

Email - james.hughes@christchurchparishcouncil.org.uk

CHRISTCHURCH PARISH COUNCIL

GRIEVANCE POLICY

Introduction

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

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

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

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

Informal grievance procedure

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

Formal grievance procedure

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

Investigation

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

Notification

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

The grievance meeting

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

The appeal

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

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

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CHRISTCHURCH PARISH COUNCIL

DISCIPLINARY POLICY

Introduction

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

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

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

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

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

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

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

Examples of misconduct

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

Examples of gross misconduct

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

Suspension

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

Examples of unsatisfactory work performance

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

The Procedure

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

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

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

Disciplinary investigation

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

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

The disciplinary meeting

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

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

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

Disciplinary action

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

First written warning

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

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

Final written warning

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

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

Dismissal

The Council may dismiss:

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

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

The appeal

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