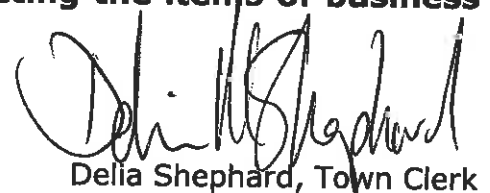


Sandy Town Council

There will be a meeting of Sandy Town Council held in the Council Chamber at 10 Cambridge Road, Sandy, Bedfordshire on Monday 11 August 2014 commencing at 7.30pm for the purpose of transacting the items of business below



Delia Shephard, Town Clerk
10 Cambridge Road
Sandy
SG19 1JE
01767 681491
5 August 2014

MEMBERS OF THE PUBLIC AND PRESS ARE WELCOME TO ATTEND THIS MEETING

A G E N D A

- 1 Apologies for Absence**
To receive any apologies for absence
- 2 Declarations of interest and requests for dispensations**
Under the Localism Act 2011 members of Council are not required to make oral declarations of interest at meetings but may not participate in discussion or voting on any items of business in which they have a Declarable Pecuniary Interest (DPI) and under Sandy Town Council's Standing Orders must leave the room for the duration of all discussion on such items. (All members' register of interests are available on the Sandy Town Council website or on application to the Clerk.)
*This item is included on the agenda to enable members to declare new DPIs and also **those who wish to do so** may draw attention to their stated DPIs and also any non-declarable personal interests which they have declared under Sandy Town Council's adopted Code of Conduct and which may be relevant to items on the agenda.*
 - i) *Disclosable Pecuniary Interests*
 - ii) *Non Disclosable Interests*
 - iii) *Dispensations*
- 3 Public Participation Session**
To receive questions and representations from members of the public.
- 4 Minutes of previous Town Council meeting**
To consider the minutes of a meeting of Sandy Town Council held at 7.30 pm on Monday 30 June 2014 and to approve them as a correct record of proceedings
- 5 Burial Regulations**
To consider the response from the community to enforcement of Sandy Burial Regulations which were reviewed and approved by the Council in June 2014

Sandy Town Council

- 4 Minutes of previous Town Council meeting**
To consider the minutes of a meeting of Sandy Town Council held at 7.30 pm on Monday 30 June 2014 and to approve them as a correct record of proceedings x
- 5 Burial Regulations**
To consider the response from the community to enforcement of Sandy Burial Regulations which were reviewed and approved by the Council in June 2014 To follow
- 6 To consider a response to the question conveyed to the Town Council via the Annual Town Meeting on 29 April 2014 by SG19 Road Safety Action Group as follows:** ✓
Does the Town Council agree to support the efforts of the SG19 Road Safety Group to investigate, prioritise and seek solutions for road safety issues in the SG19 area including the provision of a named contact with it?
- 7 Minutes of committees and recommendations therein**
To note the minutes of the following committees and sub-committees and (if applicable) to approve recommendations therein which do not arise elsewhere
- i) Development Scrutiny Committee on 14 July 2014
 - ii) Policy, Finance and Resources Committee on 14 July 2014
 - iii) Human Resources Committee on 28 July 2014
 - iv) Community Services and Environment Committee on 4 August 2014
- 8 Financial Matters**
- i) To note a summary statement of income and expenditure against budget for the year to date.
 - ii) To note a list of payments made since the last Town Council meeting
- 9 Employers' Statement of Discretions**
To approve Sandy Town Council's Employers' Statement of Discretions to be effective from 1 April 2014 ✓
- 10 Co-option**
To note arrangements made for co-option to the current casual vacancy in Pinnacle Ward ✓
- 11 Consultation on Development Strategy**
To agree a response to Central Bedfordshire Council's public consultation on the Local Development Strategy ✓

Sandy Town Council

12 Allotment Report

To receive an update report on progress with the acquisition of a new allotment site and to determine any necessary actions arising from the report To follow

13 Community Orchard Report

To receive an update report on progress with the development of a community orchard in Beeston, Sandy and to make any necessary decisions arising from the report.

14 Reports from Representatives

- i) To confirm that the position of representative to Sandy Young People's Youth Group/Youth is no longer viable
- ii) To receive reports from :
 - a) CBC Ward members
 - b) STC Representatives on external bodies

15 News Release

Sandy Town Council

Town Council Meeting on Monday 11 August 2014

MEMBERS OF THE PUBLIC AND PRESS ARE WELCOME TO ATTEND THIS MEETING

REPORTS

5 Clerk's Report

Introduction

The section of the Town Council's burial regulations which explains the rules on the erection of memorials in Sandy Cemetery is reproduced below:

Memorials

1. Memorials are permitted in sections B, C, D, E, F, G, H, I, J, and L.

A memorial which may be either:

- a) A headstone (without kerbs) not exceeding 900mm in height. 650mm in width and 100mm thickness; or
- b) A flower vase not exceeding 150mm in height

Shall be of any approved material, and erected upon plinths (of suitable material) which shall not exceed 900mm in length, 300mm in width and 150mm in thickness. No other type of memorial will be permitted.

Headstones must be erected using an approved, recognised system of fixing, i.e.: National Association of Monumental Masons ground fixing system, traditional shoe foundation or the burial of 1/3rd of the memorial into the earth. This regulation also applies to memorials removed from the cemetery for additional lettering.

2. Before any headstone or vase is placed in the cemetery, a drawing thereof showing the dimensions, type of stone and finish, system of fixing and the inscription must be sent to and approved by the Council.

3. All headstones or vases to be placed at the head of the grave only.

4. A temporary marker will be retained on the grave for a maximum of two years after the interment (or until the headstone or vase has been placed), after which it will be removed. No planting or fencing is permitted on graves in sections where the cemetery is laid to lawn.

Sandy Town Council

- 5. Nothing other than a temporary marker, headstone or vase can be placed in the Cemetery. Trinkets, toys, ornaments and lighting are not permitted. These items, as well as dead flowers will be removed by the Council.**
- 6. All monuments, gravestones or other structures and places of burial must be kept in good repair by the owner.**
- 7. The Council will carry out regular checks of monuments, headstones and any other structures ensuring that they are safe. If, in the Council's opinion, a structure has become unsafe, it will give the owner 14 days notice to remove the said structure. If the owner fails to carry out this requirement the Council will carry out the removal itself. Any costs involved shall be recoverable from the owner as a simple contract debt in any court of competent jurisdiction.**
- 8. Any employee of the Council is not permitted to carry out private work in the cemetery or take any gratuity.**
- 9. In Sections G & H (which were children's graves and are now used for cremated remains) the following are permitted:**
- a) Cremation tablets flush to the ground, not exceeding 610mm x 610mm.**
 - b) Memorials as noted in regulation 18.**
- 10. Section K is reserved for cremated remains only. The following are permitted:**
- a) Cremation tablets not exceeding 610mm x 610mm.**
 - b) A sloping or shaped tablet will be permitted, subject to a maximum height restriction of 205mm.**
 - c) All designs must be approved as stated in regulation 18.**
- 11. No fee will be charged for the erection of the memorials, or inscriptions on memorials provided by the Imperial War Graves Commission, or for private memorials erected by relatives of personnel serving in H.M. Forces at the time of death.**

The regulations were reviewed in June 2014 by the Policy, Finance and Resources Committee and it was agreed to make no changes to any of the

Sandy Town Council

regulations (Minute ref **(05-2014/15)**). Previously these regulations had been considered on 4 February 2013 with respect to enforcement of the rules about tributary items placed on graves (Minute reference **Community Services and Environment Committee meeting 4.02.2013 Item 06**) and again no changes were made to the rules about memorials and sensitive enforcement activity was approved. On both occasions members considered very carefully the implications of enforcement of these regulations.

All funeral directors are provided with copies of our cemetery regulations as well as an annual booklet which was amended early this year specifically to encourage funeral directors to stress the rules regarding memorials and the leaving of items on graves. All families who choose burial at Sandy are provided with a copy of the regulations by the council as soon as possible and explanations are provided to families about why the memorial regulations have been agreed. These reasons include:

- The cemetery is mainly laid to lawn and tributary items which are not on the plinths of headstones impede maintenance of the grass which is the responsibility of the Town Council. It takes considerable time to remove the items in order to cut the grass and the council has limited resources but wishes to maintain the cemetery to a high standard
- The council cannot guarantee that objects left of graves will not be stolen, broken or moved by wind, animals etc and has received complaints about theft, breakages etc which are sometimes attributed to staff members
- Glass, ceramic and some plastic objects do become broken and these can damage council equipment and present a hazard to users of the cemetery and to our grounds staff (despite their use of machine guards, PPE etc)

However, it is debateable how much information relatives are able to absorb at the time of bereavement. Relatives often do not understand that they do not "own" the grave of a loved one (only the headstone and the right of burial in the plot) and so many cannot understand why they can't do as they wish with their graves.

Enforcement Activity

Enforcement of the regulations is always difficult because of the natural sensitivities of bereaved families. Enforcement activities have been undertaken from time to time over many years, sometimes on an individual basis and sometimes on a section by section basis. The methods previously used included letters to individuals, polite cards placed on graves and ultimately removal of items by the council. The council is legally permitted to enforce its own regulations in the cemetery. When items are removed from graves they

Sandy Town Council

are retained for a period and relatives are invited to collect them from the council.

During the week beginning 21 July 2014 instructions to the staff team to carry out some enforcement activity were misinterpreted and it is accepted that on this occasion the action taken was heavy handed and insensitive. It also affected relatives who had never breached any of the regulations. This activity resulted in complaints to the council and reports in the local media. A record has been kept of all contacts with council staff about this matter and the correspondence is available for members to view. The police have been consulted about the contents of some of the emails received.

All members of the staff team involved in the enforcement activity are very sorry to have caused distress to any bereaved relatives and offer an unreserved apology to them. The internal procedures followed have been investigated and will be amended in the light of this experience.

Whilst lessons can be learnt from the way in which enforcement was conducted on this occasion the fundamental problem remains that many relatives find it difficult to accept the burial regulations and any enforcement activity however sympathetically undertaken will cause distress.

Revision of Regulations and Future Steps

In the light of public concern members will wish to consider whether the council's burial regulations should be changed as some correspondents have suggested.

As has been noted before in previous reports to council, mourning practices evolve and many families find it helpful to leave objects on graves. Objects recently placed in Sandy cemetery include solar lights, household and garden ornaments (which are sometimes glued to the headstone plinth), toys, photographs, letters, items of clothing, food and drink eg full bottles of beer and wine, magazines, extra vases, planters, strings of glass beads and many more. Objects which can be accommodated on the plinth of an existing headstone do not greatly interfere with maintenance activities as much as objects which are placed around the headstone or sunk into the ground.

Burial regulations adopted in different local cemeteries vary considerably. Sandy's regulations are not as restrictive as some but less accommodating than others eg regulations for Biggleswade cemeteries contain very similar conditions to those of Sandy, Potton cemetery regulations however allow solar lights within certain restrictions.

The popularity of the cemetery has led to the project to extend the burial space. Some members have suggested that the extension could include a specific area for tributary items which may be helpful, however many relatives

Sandy Town Council

want to place these items directly on the grave of their loved one for obvious reasons. They often specifically want to place them on the

It is a matter for members to determine what is in the best interests of the majority of the community whilst taking into account the maintenance implications for the council and therefore no alternative regulations are proposed in this report. However, there is little point in persisting with any regulation which the council does not have the will or the capacity to enforce. It is always difficult to draw a line between different types of objects, eg is a teddy bear holding a flower a floral arrangement or a toy? Whatever members determine any changed regulations should be as clear as possible for the benefit of the public and the staff who are instructed to enforce them.

Members are asked to consider whether changes to the burial regulations are appropriate at this time.

Sandy Town Council

6 SG19 Road Safety Group Clerk's Report

At the annual town meeting a response to the written question submitted by the SG19 Road Safety Group was given. The response is reproduced below.

Response from Sandy Town Council

This question was received on 29 April 2014 and so there has been no suitable opportunity for the question to be put to a meeting of the Town Council and for a resolved position to be agreed upon.

Meanwhile the Town Council will continue to communicate with SG19 Road Safety Action Group and to respond to their concerns as it does with other community interest groups.

The Clerk has recently been asked why the question has not yet been put to Town Council. At the time of writing the website of the SG19 Road Safety Group states that

"The SG19 Road Safety Group is a Local Community Action Group created to raise awareness of safety issues on the roads and highways within the SG19 post code area.

The aims of the group are:

- 1. In the short term - raise a petition to the Rt Hon Eric Pickles, Department for Communities and Local Government, and Rt Hon Patrick McLoughlin, Department for Transport, to*
- 2. In the medium term - generate an independent review of the existing road network in the SG19 area; consider how this has been allowed to develop and to identify how to rectify the inadequacies that exist.*
- 3. In the long term - to secure a proper bypass for Sandy and related improvements to the local road network."*

The site does not give details of a constitution, its officers and how they are elected. The chairman of the group has been asked for information about the constitution by Cllr Aldis but it is understood that this has not been made available.

The Town Council indicated in April that it would offer the same level of support to the SG19 Group as it does to any other community group and officers have endeavoured to be as helpful as possible to this community group and its spokespeople. Members will also have had their own experiences of dealing with the group.

Members are asked to consider whether to provide a named member representative for liaison with this group.

Sandy Town Council

8 Financial Matters

- i) Statement of income and expenditure against budget for the year to date
– attached
- ii) List of payments made since the last Town Council meeting - attached

14:42

Summary Income & Expenditure by Budget Heading 30th June 2014

Month No : 3

Cost Centre Report

		Actual Current Mth	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Of Budget
401 Staff	Expenditure	15,421	51,556	216,500	164,944		164,944	23.8 %
402 Administration-Office	Expenditure	9,956	24,615	82,670	58,055		58,055	29.8 %
	Income	515	229,627	458,526	-228,899			50.1 %
403 Administration-Works	Expenditure	4,422	11,280	30,520	19,240		19,240	37.0 %
404 Allotments	Expenditure	0	0	300	300		300	0.0 %
405 Footway Lighting	Expenditure	1,121	1,530	10,855	9,325		9,325	14.1 %
406 Cemetery	Expenditure	64	3,230	10,180	6,950		6,950	31.7 %
	Income	736	4,973	20,026	-15,053			24.8 %
407 Churchyard	Expenditure	0	78	750	673		673	10.3 %
408 Car Park (Including Market)	Expenditure	0	14,986	16,828	1,842		1,842	89.1 %
	Income	212	524	3,500	-2,976			15.0 %
409 Public Toilets - Car Park	Expenditure	8	2,406	4,730	2,324		2,324	50.9 %
410 Bedford Road Open Space	Expenditure	31	182	7,374	7,192		7,192	2.5 %
	Income	0	0	780	-780			0.0 %
411 Sund.Rd Open Space & Pavilion	Expenditure	2,695	8,510	25,290	16,780		16,780	33.7 %
	Income	457	457	819	-362			55.8 %
412 Beeston Green	Expenditure	385	973	2,000	1,027		1,027	48.7 %
413 The Pinnacle	Expenditure	0	0	3,700	3,700		3,700	0.0 %
414 Tourist Information Centre	Expenditure	628	4,283	33,105	28,822		28,822	12.9 %
	Income	0	2,055	12,000	-9,945			17.1 %
415 Grass Cutting	Expenditure	0	3,831	10,000	6,169		6,169	38.3 %
416 Litter Bins, Seats & Shelters	Expenditure	0	0	500	500		500	0.0 %
417 Annual Report & Newsletter	Expenditure	236	714	3,500	2,786		2,786	20.4 %
418 S.E.G.	Expenditure	0	0	1,276	1,276		1,276	0.0 %
419 Christmas Lights	Expenditure	1,160	1,175	16,000	14,825		14,825	7.3 %
	Income	123	178	4,000	-3,822			4.4 %
420 Fallowfield	Expenditure	3	112	3,000	2,888		2,888	3.7 %

Continued on Page 2

Summary Income & Expenditure by Budget Heading 30th June 2014

Month No : 3

Cost Centre Report

		Actual Current Mth	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Of Budget
600 The Riddy	Expenditure	0	39	6,590	6,551		6,551	0.6 %
	Income	0	1,077	1,475	-398			73.0 %
601 Miscellaneous (Incl Interest)	Expenditure	0	0	15,700	15,700		15,700	0.0 %
	Income	-31	52	5,500	-5,448			0.9 %
700 Capital A/c	Expenditure	5,098	5,098	0	-5,098		-5,098	0.0 %
	Income	0	106	0	106			0.0 %
702 Reserve A/c	Expenditure	0	0	-15,000	-15,000		-15,000	0.0 %
INCOME - EXPENDITURE TOTALS								
	Expenditure	41,228	134,599	486,368	351,769	0	351,769	27.7 %
	Income	2,012	239,048	506,626	-267,577			47.2 %
	Net Expenditure over Income	39,216	-104,450	-20,258	84,192			

At : 14:43

Current Bank A/c

List of Payments made between 01/06/2014 and 30/06/2014

<u>Date Paid</u>	<u>Payee Name</u>	<u>Cheque Ref</u>	<u>Amount Paid</u>	<u>Authorized Ref</u>	<u>Transaction Detail</u>
02/06/2014	Powerc IT Business Solutions	DDR	300.00		200/IT Support June 14
02/06/2014	Aviva Insurance	DDR	1,650.02		Aviva Insurance
03/06/2014	British Gas DDR	DDR1	8.90		139/Pavilion Supply to 01.05.
05/06/2014	Barclays Bank	CHG	31.20		Interest & CHarges
09/06/2014	Central Bedfordshire Council R	DDR2	113.00		92/Annual Rates 14/15
09/06/2014	BNP Paribas Leasing	DDR	139.50		Copier cover
12/06/2014	Sandy Twinning Assoc. Grant	111057	250.00		Sandy Twinning Assoc. Grant
12/06/2014	Thorley Smith Ltd	111057	76.61		213/Soil Box
16/06/2014	UK Fuels Limited DDR	DDR3	159.44		169/Fuel Card
16/06/2014	Powerc IT Business Solutions	DDR4	245.60		201/Telephone Service
17/06/2014	Southern Electric DDR	DDR5	519.83		211/Street lighting to 2.06.14
17/06/2014	Bedford Borough Council	DDR6	15,384.94		189/May Salaries
18/06/2014	1st Choice Staff Recruitment L	111058	1,846.18		182/R. Loake to 17.05.14
18/06/2014	1st Response Fire Protection	111059	60.00		163/Tollets Maintenance
18/06/2014	Bedford Borough Council	111061	75.50		164/Refuse Disposal
18/06/2014	Cemetery Development Services	111062	6,117.60		203/Cemetery Extension Survey
18/06/2014	Central Bedfordshire Council	111063	1,500.00		191/Jenkins Management Fee
18/06/2014	Collier Turf Care Ltd	111064	488.10		182/Cricket Pitch Care
18/06/2014	DCK Beavers Ltd	111065	961.30		168/Year end Closedown & A/Cs
18/06/2014	Bedfordshire & River Ivel I D	111066	38.71		165/Agricultural Drainage Rate
18/06/2014	Mrs A Elliott-Flockheart	111067	50.00		194/VDU Glasses for A.E-F
18/06/2014	Mrs A Elliott-Flockheart	111068	30.00		212/VDU Glasses
18/06/2014	R. Gazely Signwriter	111069	108.00		195/Write on Town Mayor Board
18/06/2014	Jill Gurney	111070	27.65		196/Fuel for Mower
20/06/2014	Haines Watts Ltd	111071	450.00		170/Year End Internal Audit
20/06/2014	Hertfordshire County Council	111072	234.07		171/Stationery Supplies
20/06/2014	Hire or Buy Group Ltd	111073	28.62		172/Strimmer Line
20/06/2014	Martin Howlett Trading Company	111074	22.00		197/Centre Feed Rolls
20/06/2014	Will Jackson	111075	38.25		173/Mayors Travelling
20/06/2014	K. & C. Roofing	111076	315.60		174/Repair Pavilion Roof
20/06/2014	Tim Miles	111077	200.00		183/Gravedigging 28.05.14
20/06/2014	Millenium Security Services	111078	270.00		175/Alarm Callouts
20/06/2014	NALC	111079	17.00		198/LCR Subs
20/06/2014	FD Odell & Sons Ltd	111080	376.60		176/Refuse Disposal
20/06/2014	Plantscape	111081	2,574.00		199/Town Planting
20/06/2014	Rialtas Business Solutions Ltd	111082	715.20		202/Omega Support Package
20/06/2014	Rosetta Publishing	111083	285.60		205/The bulletin June 2014
20/06/2014	Seddington Garden Nursery	111084	281.76		178/Rock Salt
20/06/2014	Sandy Football Club	111085	32.35		206/Charges Mar-May
20/06/2014	Delia Shepherd	111086	33.00		Purchase Ledger Payment
20/06/2014	Agrovista UK Ltd	111087	250.36		207/Bowling Green Maintenance
20/06/2014	Spaldings Ltd	111088	190.91		179/Various Materials
20/06/2014	Susan Sutton	111089	108.90		182/S. sutton travel to 10.05
20/06/2014	Verto (UK) Ltd	111090	900.00		184/Maintenance to 26.06.14
20/06/2014	Walkers are Welcome Towns	111091	50.00		185/Walkers Are Welcome sub
20/06/2014	Walters Ltd	111092	179.16		188/Photocopier charges
20/06/2014	Wicksteed Leisure Ltd	111093	320.81		187/Play Area Repairs

Continued on Page 2

At : 14:43

Current Bank A/c

List of Payments made between 01/06/2014 and 30/06/2014

<u>Date Paid</u>	<u>Payee Name</u>	<u>Cheque Ref</u>	<u>Amount Paid</u>	<u>Authorized Ref</u>	<u>Transaction Detail</u>
20/06/2014	Barclays Active Saver	tfr	23,400.00		
23/06/2014	Post Office	111094	145.00		Vehicle Tax disc
26/06/2014	Corona Energy Retail 2 Ltd	DDR	151.85		183/Supply to 010.6.14
26/06/2014	British Gas DDR	DDR2	8.62		190/Supply to 31.05.14
27/06/2014	Southern Electric DDR	DDR3	612.90		209/Supply to 09.06.14
30/06/2014	Aviva Insurance	111095	1,728.52		Aviva Insurance
Total Payments			64,103.98		

Detailed Balance Sheet (Excluding Stock Movement)

Month No: 3 30th June 2014

<u>A/c</u>	<u>Account Description</u>	<u>Actual</u>	
<u>Current Assets</u>			
100	Debtors Control	989	
101	Stock	4,435	
105	VAT Control	9,573	
106	Vat Suspense	-3,900	
200	Current Bank A/c	61,576	
205	Capital a/c Santander	210,266	
206	Barclays Active Saver	159,356	
207	Barclays New Treasury	201,994	
210	Petty Cash	250	
	Total Current Assets		<u>644,538</u>
<u>Current Liabilities</u>			
501	Creditors Control	22,529	
	Total Current Liabilities		<u>22,529</u>
	Net Current Assets		622,010
	Total Assets less Current Liabilities		<u>622,010</u>
<u>Represented By :-</u>			
300	Current Year Fund	104,450	
310	General Reserve	20,765	
320	Capital Receipts Reserve	72,795	
321	Earmarked Reserves	44,000	
322	EMR Fallowfield	360,000	
	Total Equity		<u>622,010</u>

Sandy Town Council

9 Employers' Statement of Discretions

Under the revisions to the LGPS regulations applicable from 1 April 2014 all employers are required to publish a statement as to their adopted policy regarding the various discretions permitted under the scheme. This statement is required to be published (and sent to all enrolled employees) by 30 June 2014. On Monday 28 July 2014 the HR Committee was due to determine a recommended statement but it was not possible to deal with this item of business during the meeting. Reports produced for the HR committee meeting on that occasion should be read in conjunction with this report.

A working group of 6 members of the HR committee has reviewed reports and taken advice from the Bedfordshire LGPS, NALC etc and has produced a draft policy which is recommended for adoption by council with immediate effect.

(As a potential beneficiary of the pension scheme the clerk cannot give any advice on this item and will withdraw from the meeting whilst this item of business is considered.)

Members are asked to adopt the statement with immediate effect.

Local Government Pension Scheme 2014 (LGPS) - Employer Discretion Policy Statement

The new pension scheme rules, which apply from 1 April 2014, require each scheme employer within the LGPS to publish a statement with regards to how the employer will respond to discretionary aspects of the scheme rules and regulations.

This statement will be published on the Sandy Town Council website and will also be made freely available in other ways such as intranet sites, staff groups, trade unions and HR officers.

The date of this publication is: 30 June 2014

The effective date of this policy is: 1st April 2014

This is the formal employer's policy in respect of the employer that is currently known as: Sandy Town Council

This policy applies to: Prospective members, current contributory members and pensioner members of the Local Government Pension Scheme (LGPS), and their dependants.

Where quoted regulations* refer to:

The Local Government Pension Scheme Regulations 2013, or The Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014.

*For certain employees/ers reference may also be contained to the following regulations:

- The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000
- The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 (as amended)
- The Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011

This statement will be reviewed and may change from time to time. You should obtain the latest version of this document before making

any decisions in respect of your retirement provisions as the situation may have changed.

You are advised to read this statement in conjunction with the information provided in respect of the benefits provided by the LGPS – the occupational pension scheme provided by Sandy Town Council.

This policy does not convey any form of contractual rights for LGPS/staff members. The policy will be reviewed and may be subject to change, only the version of the policy that is 'current' at the time at which an event occurs will be the one applied for the purposes of LGPS benefits or membership. This policy cannot, nor does it seek to, override the provision of the Local Government Pension Scheme Regulations (as amended), the Local Government (Discretionary Payments) as amended, and the Employment Rights Act.

Sandy Town Council will not use this policy for any ulterior motive, it will ensure that such discretions will be exercised reasonably and where a cost is incurred it will only be used when there is a future benefit to the employer for incurring the extra costs that may arise or be associated with the discretion. It will ensure that where exercised any discretions that incur additional costs, will be applied and recorded as appropriate.

In publishing this policy the scheme employer, Sandy Town Council, is required to pay due regard to the requirement that the formulated policy and its application and the extent to which the exercise of the discretions could lead to a serious loss of confidence in the public service.

Delia Shephard
Sandy Town Council

Local Government Pension Scheme 2014 (LGPS) - Employer Policy Statement

**Employer discretions required under:
The Local Government Pension Scheme Regulations 2013
[prefix R]**

**The Local Government Pension Scheme (Transitional Provisions,
Savings and Amendment) Regulations 2014 [prefix TP]**

Regulation R16 (2)(e) & R16 (4)(d)

Whether, how much, and in what circumstances to contribute to a shared cost APC scheme.

The Scheme employer may resolve to fund in whole or in part any arrangement entered into by an active scheme member to pay additional pension contributions by way of regular contributions in accordance with Regulation 16(2)(e), or by way of a lump sum in accordance with Regulation 16(4)(d).

The Scheme employer may enter into an APC contract with a Scheme member who is contributing to the MAIN section of the Scheme in order to purchase additional pension of not more than the additional pension limit (£6,500 from 1st April 2014 subject to annual increase in line with the Pensions (Increase) Act 1971).

The amount of additional contribution to be paid is determined by reference to actuarial guidance issued by the Secretary of State.

Consideration needs to be given to the circumstances under which the Scheme employer may wish to use their discretion to fund in whole or in part an employee's Additional Pension Contributions.

The policy of Sandy Town Council is:

That the Council will not generally, during its normal course of business ordinarily consider this discretion due to financial pressures it is currently facing, at a time when there is a need to make significant savings via the public sector spending revue.

Regulation R30(6)* & TP11(2)

Whether all or some benefits can be paid if an employee reduces their hours or grade (flexible retirement)

An active member who has attained the age of 55 or over and who with the agreement of their employer reduces their working hours or grade of employment may, with the further consent of their employer, elect to receive immediate payment of all or part of the retirement pension to which they would be entitled in respect of that employment as if that member were no longer an employee in local government service on the date of the reduction in hours or grade (adjusted by the amount shown as appropriate in actuarial guidance issued by the Secretary of State – separate policy required under Regulation 30(8)).

As part of the policy making decision the Scheme employer must consider whether, in addition to the benefits the member may have accrued prior to 1 April 2008 (which the member must draw), to permit the member to choose to draw all, part or none of the pension benefits they built up after 31 March 2008 and before 1 April 2014 and all, part or none of the pension benefits they built up after 1 April 2014.

Due consideration must be given to the financial implications of allowing an employee to draw all or part of their pension benefits earlier than their normal retirement age.

The policy of Sandy Town Council is:

Sandy Town Council has a flexible retirement policy that is reliant upon a sound business case being made for the granting of flexible retirement with immediate access to all or part of the member's benefits.

To this end Sandy Town Council will consider requests on a case by case basis.

The following criteria will apply:-

There must be at least a 40% reduction in gross pay and/or contractual hours worked

Regulation R30(8)*

Whether to waive, in whole or in part, actuarial reduction on benefits paid on flexible retirement. Whether to waive, in whole or in part, actuarial reduction on benefits which a member voluntarily draws before normal pension age.

Where a Scheme employer's policy under regulation 30(6) (flexible retirement) is to consent to the immediate release of benefits in respect of an active member who is aged 55 or over, those benefits must be adjusted by an amount shown as appropriate in actuarial guidance issued

by the Secretary of State (commonly referred to as actuarial reduction or early payment reduction).

A Scheme employer (or former employer as the case may be) may agree to waive in whole or in part and at their own cost, any actuarial reduction that may be required by the Scheme Regulations.

Due consideration must be given to the financial implications of agreeing to waive in whole or in part any actuarial reduction.

The policy of Sandy Town Council is:

As a consequence of flexible retirement there may be a reduction to the benefit paid where the employee does so before the age of 65.

The value of any actuarial reductions will be applied. Sandy Town Council will not seek to fund the reductions applied.

TP Sch 2 para 2(2)

Whether to "switch on" the 85-year rule for a member voluntarily drawing benefits on or after age 55 and before age 60.

Where a scheme member retires or leaves employment and elects to draw their benefits at or after the age of 55 and before the age of 60 those benefits will be actuarially reduced unless their Scheme employer agrees to meet the full or part cost of those reductions as a result of the member otherwise being protected under the 85 year rule as set out in previous Regulations.

So as to avoid the member suffering the full reduction to their benefits the Scheme employer can 'switch on' the 85 year rule protections thereby allowing the member to receive fully or partly unreduced benefits but subject to the Scheme employer paying a strain (capital) cost to the Pension Fund

The policy of Sandy Town Council is:

As a consequence there may be a reduction to the benefit paid where the employee does so before the age of 60.

The value of any actuarial reductions will be applied. Sandy Town Council will not seek to fund the reductions applied.

TP Sch 2 para 2(3)

Whether to waive on compassionate grounds the actuarial reduction

applied to benefits from pre 1/4/14 membership where the employer has switched on the 85-year rule for a member voluntarily drawing benefits on or after age 55 and before age 60.

So as to avoid the member suffering the full reduction to their benefits the Scheme employer can 'switch on' the 85 year rule protections thereby allowing the member to receive fully or partly unreduced benefits but subject to the Scheme employer paying a strain (capital) cost to the Pension Fund

The policy of Sandy Town Council is:

Such applications will not normally be approved by Sandy Town Council. Applications may be approved in exceptional circumstances or where there is a sound business case for doing so.

Regulation R31

Whether to grant additional pension to an active member or within 6 months of ceasing to be an active member by reason of redundancy or business efficiency
(by up to £6,500 p.a.)

A Scheme employer may resolve to award

- (a) an active member, or
- (b) a member who was an active member but dismissed by reason of redundancy, or business efficiency, or whose employment was terminated by mutual consent on grounds of business efficiency,

additional annual pension of, in total (including any additional pension purchased by the Scheme employer under Regulation 16), not more than the additional pension limit (£6,500 from 1st April 2014 subject to annual increase in line with the Pensions (Increase) Act 1971).

Any additional pension awarded is payable from the same date as any pension payable under other provisions of the Scheme Regulations from the account to which the additional pension is attached.

In the case of a member falling within sub-paragraph (b) above, the resolution to award additional pension must be made within 6 months of the date that the member's employment ended.

The policy of Sandy Town Council is:

It does not believe that a business case can be argued to adopt this policy

in respect of recruitment or retention issues, as these can be successfully dealt with by other areas outside of the LGPS.

That it does not wish to adopt this policy in light of the requirement for the effective use of financial resources.

**Employer discretions required under:
The Local Government Pension Scheme Regulations 2007
(as amended) [prefix B]**

Regulation B12

(This discretion will be spent entirely after 30th September 2014, and should be removed in any further published versions after this date.)

Whether, for a member leaving on the grounds of redundancy or business efficiency on or before 31st March 2014, to augment membership (by up to 10 years). The resolution to do so would have to be made within 6 months of the date of leaving.

The policy of Sandy Town Council is:

That it does not wish to adopt this policy in light of the requirement for the effective use of financial resources in the current financial climate/year 2014/2015.

It does not intend to review this discretion until the financial situation has improved sufficiently in real terms.

Regulation B30(2)*

Whether to grant application for early payment of deferred benefits on or after age 55 and before age 60

The policy of Sandy Town Council is:

That it does not wish to adopt this policy in light of the requirement for the effective use of financial resources in the current financial climate/year 2014/2015.

It does not intend to review this discretion until the financial situation has improved sufficiently in real terms

Regulation B30(5)*

Whether to waive, on compassionate grounds, the actuarial reduction applied to deferred benefits paid early under B30

The policy of Sandy Town Council is:

That it does not wish to adopt this policy in light of the requirement for the effective use of financial resources in the current financial climate/year 2014/2015.

It does not intend to review this discretion until the financial situation has improved sufficiently in real terms

Regulation B30A(3)*

Whether to grant an application for early payment of a suspended tier 3 ill health pension on or after age 55 and before age 60

The policy of Sandy Town Council is:

That it will agree NOT to adopt these discretions based on compassionate grounds, as it does not feel satisfied that a relevant and workable definition is in existence with the regulation in respect of what is to be seen as compassionate grounds.

Regulation B30A(5)*

Whether to waive, on compassionate grounds, the actuarial reduction applied to benefits paid early under B30A

The policy of Sandy Town Council is:

That it will agree NOT to adopt these discretions based on compassionate grounds, as it does not feel satisfied that a relevant and workable definition is in existence with the regulation in respect of what is to be seen as compassionate grounds.

Employer discretions required under:

**The Local Government Pension Scheme Regulations 1997
(as amended) [prefix L]**

Regulation L31(2)

Grant application from a post 31.3.98. / pre 1.4.08. leaver for early payment of benefits on or after age 50/55 and before age 60

The policy of Sandy Town Council is:

That it does not wish to adopt this policy in light of the requirement for the effective use of financial resources in the current financial

climate/year 2014/2015.

It does not intend to review this discretion until the financial situation has improved sufficiently in real terms

Regulation L31(5)

Waive, on compassionate grounds, the actuarial reduction applied to benefits paid early for a post 31.3.98. / pre 1.4.08. leaver.

The policy of Sandy Town Council is:

That it will agree NOT to adopt these discretions based on compassionate grounds, as it does not feel satisfied that a relevant and workable definition is in existence with the regulation in respect of what is to be seen as compassionate grounds

Regulation L31(7A)

Optants out pre 1.4.08. employee optants out only to get benefits paid from NRD if employer agrees

The policy of Sandy Town Council is:

That it does not wish to adopt this policy for all potential members in light of the requirement for the effective use of financial resources in the current financial climate/year 2014/2015.

However, it confirms that it will consider such requests from employees where there is no capital cost to the authority.

The Following Further Employer Discretions may be required for certain employers, for reasons of transparency, the position of Sandy Town Council is shown where relevant:

The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000]

Regulation 21(4)

How any surviving spouses or civil partner's annual compensatory added years is to be apportioned where the deceased person is survived by more than one spouse or civil partner.

The policy of Sandy Town Council is:

That any surviving spouses annual compensatory added years payment deemed payable, will be divided equally amongst those eligible for payment, where the deceased person is survived by more than one spouse or civil partner.

Regulation 25(2)

How it will decide to whom any children's annual compensatory added years payments are to be paid where children's pensions are not payable under the LGPS (because the employee had not joined the LGPS) and in such case how the annual added years will be apportioned amongst the eligible children

The policy of Sandy Town Council is:

That any annual compensatory added years payment deemed payable, to a child will be divided equally amongst those children eligible for payment. Therefore any annual added years payments will be divided equally amongst any eligible children whilst still in full time education to the age of 18 years, but can be older if since before the age of 18 years, they have been in full time education.

Regulation 21(7)

Whether in respect of the spouse of a person who ceased employment before 1 April 1998 and where the spouses or civil partner remarries, enters into a new civil partnership or cohabits after 1 April 1998, the normal pension suspension rules should be disapplied i.e. whether the spouse's or civil partners annual compensatory added years payments should continue to be paid.

The policy of Sandy Town Council is:

That the normal pension suspension rules will be disapplied.

Regulation 21(5)

{If the decision in 21(7) is to apply suspension of benefits.}

...whether the spouses or civil partners pension should be reinstated after the end of the remarriage, new civil partnership or co habitation.

The policy of Sandy Town Council is:

As suspension of pensions will not be applied under Regulation 21(7) this discretion will not be relevant to the authority.

Regulation 21(7)

Whether, in respect of the spouses or civil partner of a person who ceased employment before 1 April 1998 and where the spouses or civil partner remarries or cohabits or enters into a civil partnership on or after 1 April 1998 with another person who is also entitled to a spouses or civil partners annual compensatory added years (CAY) payment, the normal rules requiring one of them to forego payment whilst the period of marriage, civil partnership or co habitation lasts, should be disapplied i.e. whether the spouses or civil partners annual CAY payments should continue to be paid to both of them.

The policy of Sandy Town Council is:

That the normal pension suspension rules will be disapplied

Regulation 17

Whether to and to what extent to reduce or suspend the member's annual compensatory added years payment during any period of re-employment in local government.

The policy of Sandy Town Council is:

Sandy Town Council will suspend all annual compensatory added years during the period of re-employment.

Regulation 19

How to reduce the member's annual compensatory added years payment following the cessation of a period of re-employment.

The policy of Sandy Town Council is:

Sandy Town Council will ensure that any pension benefits accrued and payable are no greater than those which would be based on all the periods of relevant employment.

The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 (as amended)

Note: For the purposes of the above, 'local government' means employment with an employer who offers membership of the LGPS to its employees, regardless of whether or not the employee chooses to join the LGPS (except where the employer is an Admitted Body). Technically, an employee of an Admitted Body (i.e. a body that has applied to the administering authority to allow its employees to join the LGPS and has entered into a formal admission agreement) is only employed in 'local government' if he / she is a member of the LGPS.

Regulation 5

To base redundancy payments on an actual weeks pay where this exceeds the statutory weeks pay limit.

The policy of Sandy Town Council is:

That it will base redundancy pay on actual pay where actual pay exceeds the statutory maximum under the Employment Rights Act 1996.

Regulation 6

To award lump sum compensation of up to 104 weeks pay in cases of redundancy, termination of employment on efficiency grounds, or cessation of a joint appointment.

The policy of Sandy Town Council is:

That the authority will not award lump sum compensation in cases of redundancy (except where obliged to by virtue of TUPE), termination of employment on efficiency grounds, or cessation of a joint appointment unless there are exceptional/compelling reasons to do so

The Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011

Formulating and publishing a policy under the Injury Allowances Regulations 2011 Each LGPS employer is required to formulate, publish and keep under review the policy that it will apply in the exercise of its discretionary powers to make any award under the Injury Allowances Regulations.

Regulation 3(1)

Whether to grant an injury allowance following reduction in remuneration as a result of sustaining an injury or contracting a disease in the course of carrying out duties of the job.

The policy of Sandy Town Council is:

Sandy Town Council will not grant an injury allowance. Any such injury or illness sustained during the course of carrying out duties of the job will be addressed under the council's personal accident and employer's liability insurance policies.

Regulation 3 (4) and 8

Amount of injury allowance following reduction in remuneration as a

result of sustaining an injury or contracting a disease in the course of carrying out duties of the job.

The policy of Sandy Town Council is:

This discretion is redundant as no injury allowance would be payable see Reg 3 (1) above.

Regulation 3(2)

Determine whether person continues to be entitled to an injury allowance awarded under regulation 3(1).

N/A

Regulation 4(1)

Whether to grant an injury allowance following cessation of employment as a result of permanent incapacity caused by sustaining an injury or contracting a disease in the course of carrying out duties of the job.

The policy of Sandy Town Council is:

Sandy Town Council will expect compensation to be addressed by the council's insurance arrangements.

Regulation 4(3) and 8

Amount of injury allowance following cessation of employment as a result of permanent incapacity caused by sustaining an injury or contracting a disease in the course of carrying out duties of the job.

N/A

Regulation 4(2)

Determine whether person continues to be entitled to an injury allowance awarded

N/A

Regulation 4(5)

Whether to suspend or discontinue injury allowance awarded under regulation 4(1) if person secures paid employment for not less than 30 hours per week for a period of not less than 12 months.

N/A

Regulation 6(1)

Whether to grant an injury allowance following cessation of employment with entitlement to immediate LGPS pension where a Regulation 3 payment was being made at date of cessation of employment but Regulation 4 does not apply.

N/A

Regulation 6(1)

Determine amount of any injury allowance to be paid under regulation 6(1)

N/A

Regulation 6(2)

Determine whether and when to cease payment of an injury allowance payable under regulation 6(1)

N/A

Regulation 7(1)

Whether to grant an injury allowance to the spouse, civil partner, nominated co-habiting partner or dependent of an employee who dies as a result of sustaining an injury or contracting a disease in the course of carrying out duties of the job.

N/A

Regulation 7(2) and 8

Determine amount of any injury allowance

N/A

Regulation 7(3)

Determine whether and when to cease payment of an injury allowance payable under regulation 7(1)

N/A

Further Employer Discretions

(set out as best practice)

– in accordance with the Local Government Pension Scheme Regulations 2013

R9(1) & (3) – Contributions

Where an active member changes employment or there is a material change which affects the member's pensionable pay during the course of

a financial year, the Scheme employer may determine that a contribution rate from a different band (as set out in Regulation 9(2)) should be applied.

Where the Scheme employer makes such a determination it shall inform the member of the revised contribution rate and the date from which it is to be applied.

The policy of Sandy Town Council is:

That the authority will reassess the contribution band where an active member changes employment or a material change occurs during the course of the financial year. The authority will inform the member of the revised contribution rate and the date from which it is to be applied and from which contributions will be due

R17(1) – Additional Voluntary Contributions

An active member may enter into arrangements to pay additional voluntary contributions (AVCs) or to contribute to a shared cost additional voluntary contribution arrangement (SCAVCs) in respect of an employment. The arrangement must be a scheme established between the appropriate administering authority and a body approved for the purposes of the Finance Act 2004, registered in accordance with that Act and administered in accordance with the Pensions Act 2004.

The Scheme employer needs to determine whether or not it will make contributions to such an arrangement on behalf of its active members.

The policy of Sandy Town Council is:

That it will not set up any Shared Cost Additional Voluntary Contribution (SCAVC) Arrangements as it does not believe this to be a prudent use of funds.

R21(5) – Assumed Pensionable Pay

A Scheme employer needs to determine whether or not to include in the calculation of assumed pensionable pay, any 'regular lump sum payment' received by a Scheme member in the 12 months preceding the date that gave rise to the need for an assumed pensionable pay figure to be calculated.

The policy of Sandy Town Council is:

The authority may decide, based on a case by case review, not to include in the calculation of APP any "regular lump sum payment" received by a Scheme member in the 12 months preceding the date that gives rise to

the need for an APP figure to be calculated.

R22 - Merging of Deferred Member Pension Accounts with Active Member Pension Accounts

A deferred member's pension account is automatically aggregated with their active member's pension account unless the member elects within the first 12 months of the new active member's pension account being opened to retain their deferred member's pension account.

A Scheme employer can, at their discretion, extend the 12 month election period.

The policy of Sandy Town Council is:

That the authority will not normally extend the 12 month period to elect to retain separate benefits unless in exceptional circumstances.

R74 Adjudication

Each Scheme employer must appoint a person ("the adjudicator") to consider applications from any person whose rights or liabilities under the Scheme are affected by:

- a) decision under regulation 72 (first instance decisions);
or
- b) any other act or omission by a Scheme employer or administering authority,

and to make a decision on such applications.

Responsibility for determinations under this **first stage of the Internal Disputes Resolution** Procedure (IDRP) rests with "the adjudicator" as named below by the Scheme employer:

Sandy Town Council's 'Adjudicator's' details are:

Name:	Cllr Will Jackson
Job Title:	Town Mayor
Full Address:	10 Cambridge Road Sandy
Post Code:	SG19 1JE
Tel No:	01767 681491
Fax No:	
Email Address:	mayor@sandytowncouncil.gov.uk

Regulation R100(6) –Transfers of Pension Rights into the LGPS

A request from an active member to transfer previously attained pension rights into the LGPS must be made in writing to the administering authority and the Scheme employer before the expiry of the period of 12 months beginning with the date on which the employee first became an active member in an employment (or such longer period as the Scheme employer and administering authority may allow).

The policy of Sandy Town Council is:

That the authority will not normally extend the 12 month period to elect to retain separate benefits unless in exceptional circumstances.

Councillor Members

Discretions to be exercised on and after 1 April 2014 in relation to active councillor members, councillor members who ceased active membership on or after 1 April 1998 and any other scheme members who ceased active membership between 1 April 1998 and 31 March 2008

Regulation 106 of the Local Government Pension Scheme Regulations 1997 Scheme employers are required to have a policy in relation to two specific discretions.

Whether to grant applications for the early payment of pension benefits on or after age 50 and before age 60 [regulation 31(2) of the LGPS Regulations 1997],

N/A

Sandy Town Council

10 Co-option Clerk's Report

Arrangements have been made for the co-option of a new member to fill the Pinnacle Ward vacancy at the first available Town Council meeting which provided a reasonable amount of time for the vacancy to be properly advertised and which did not fall into the middle of the summer holiday period. The vacancy has been advertised in exactly the same way as previous casual vacancies and application forms are available from the website and the town council offices.

The Town Mayor is holding a coffee/open morning on Friday 5 September which will be separately advertised and this will provide an additional opportunity for any candidates to obtain more information about the role of councillor.

Sandy Town Council

11 Consultation on Development Strategy

Central Bedfordshire Councils public consultation on its Development Strategy draft plan (Pre-Submission Stage) consultation is open from 30 June to 26 August 2014. This is the final opportunity for the Town Council to make any representations before the plan goes to the Planning Inspector for approval, members will recall that the substantive consultations on the framework took place in 2013. All relevant documents and the timetable for the future of the Development Strategy can be viewed on Central Bedfordshire Council's website at

<http://www.centralbedfordshire.gov.uk/planning/strategic-planning/development-strategy.aspx>

including a summary of the plan and a several guides to the content which may be useful especially for new members as the draft plan itself is 248 pages long.

Members are asked to decide whether the council has any final representations to make before 26 August 2014.