

Lindfield Parish Council

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West Sussex
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Parish Clerk: Mr A Funnell

Date of issue: 4 July 2019

Members of Lindfield Parish Council are hereby summoned to attend the **Annual Meeting of Lindfield Parish Council** to be held on **Thursday, 11 July 2019** at the **King Edward Hall, Lindfield (Jubilee Room)** at **8.00 p.m.** to transact the following business:

A G E N D A

1. To receive and accept apologies and reasons for absence
2. To receive Declarations of Interest by Members in respect of any Items on the Agenda.
The disclosure must include the nature of the interest. If an interest becomes apparent to a member during the course of the meeting, that has not been disclosed under this item, the member must immediately disclose it.
3. To confirm and sign the Minutes of the Council meeting held on 5 June 2019 (*previously circulated*).
4. Questions/comments from members of the public. (This will be limited to a maximum of 15 minutes. In accordance with Standing Order 3 (e) – (g) each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 3 minutes).
5. Chairman's announcements.
6. Reports by County Councillor / District Councillors.
7. Action list.
8. Consultation Documents - to note / consider documents received.
9. Planning and Traffic Committee
 - i) Report by Councillor Plass on matters considered at the meetings held on 23 May, 5 June and 25 June, (Previously circulated)
 - ii) To receive the Minutes of the meetings of the Planning and Traffic Committee held on 23 May, 5 June and 25 June and to confirm their recommendations.
 - iii) Construction Management Plans
10. Finance and General Purposes Committee:
 - i) Report by Councillor Henton on matters considered at the meetings held on 30 May & 4 July 2019 (Minutes to follow, if available), to include:
 - ii) To receive the Minutes of the meetings of the Finance and General Purposes Committee held 30 May and 4 July 2019 (if available) to confirm their recommendations.
 - iii) Statements of Account / Budget Progress and Bank Reconciliation for the periods: 1-30 April, & 1-31 May and the quarterly Receipts and Payments Summary (up until 31 May).
 - iv) Toilets on the Common - update
 - v) List of cheques & debt card payments for approval.
11. Environment and Amenities Committee
 - i) Report by Cllr Blunden on matters considered at the meeting held on 13 June 2019
 - ii) To receive the minutes of the meeting held on 13 June 2019 (*previously circulated*) and to confirm their recommendations.

Members of the public and the press have a right to attend meetings of the Council and its Committees.

Lindfield Parish Council

12. General Power of Competence - The Parish Council resolves from 11 July 2019, until the next relevant Annual Meeting of the Council, that having met the conditions of eligibility as defined in the Localism Act 2011 and SI 965 The Parish Councils (General Power of Competence)(Prescribed Conditions) Order 2012, to adopt the General Power of Competence.
 13. Parish Meeting – to consider the resolution passed by the electorate.
 14. Chairman's Chain of Office.
 15. Matters Arising after the preparation of this Agenda, which the Chairman agrees to take as urgent. Any such matters will be for noting or referral to a future meeting only.
 16. Exclusion of the public [and press]: to consider whether a resolution should be moved under Standing Order No. 3(d) to exclude the public and press from the following part of the meeting, by reason of the confidential nature of the business to be transacted or for other special reasons.
 17. Clock Tower House - Lease
 18. Staffing matters:
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Signed *Andrew Funnell*

Andrew Funnell
Clerk to the Council

Cc: Mid Sussex Times
Cllr Andrew Lea (WSSC & MSDC)
Cllr Anthea Lea (MSDC)
Cllr Johnathan Ash-Edwards (MSDC)

ACTION AND PROJECT PROGRESS LIST

FULL. 11 July 19 - Item 7

Blue - completed or moved on and will be deleted after next meeting of relevant committee. Green = update. Grey background = confidential items. Violet = long term action. Red - priority

COUNCIL / COMMITTEE	MINUTE REF	MEETING DATE	SUBJECT	ACTION AGREED	WHO	TARGET DATE	DATE DONE	NOTES
Full Council	215.5	08.11.12	Winter management	Councillors to find volunteers for snow clearing	All	asap		
Full Council	365.1	09.11.17	War Memorial	Apply for listing	Clerk	asap		Apply once renovation work is done
Full Council	517	14.03.19	Village Directory & Year Book	Proceed with product. Change of cover. Ask LRPC how many copies required. Seek quotes for consideration of outsourcing parts of 2021 edition.	Clerk	asap		In progress

Committee	Full Council
Date	11.07.2019
Item	12

Report:	THE GENERAL POWER OF COMPETENCE
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1. BACKGROUND

- 1.1 Parish (and latterly town) councils are corporate bodies that have accumulated powers through legislation since 1894. Their powers were constrained to specific and appropriate legislation. This means that before undertaking anything, members must be satisfied that a parish council has the power (under a specified statute) to undertake that activity.
- 1.2 Parish councils have many specific powers (e.g. the provision of open spaces and recreational facilities) in addition to section 137 of the Local Government Act 1972, permitting the expenditure up to certain limits for "purposes not otherwise authorised". Typically, the expenditure on grants and sponsorship is covered by section 137 of the Local Government Act, 1972.
- 1.3 Despite the wide range of powers, councils are always at risk of being challenged, especially if they undertake an unusual activity.
- 1.4 In consequence, the Government included a "general power of competence" in the Localism Act 2011 (Part 1, Chapter 1, ss 1-8). It was brought into force by SI 965 The Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012 in April 2012.

2. LEGISLATIVE BACKGROUND

- 2.1 The intention of the legislation is that eligible local authorities will no longer have to identify specific powers to undertake an activity. As a result, the risk of legal challenge will be reduced. It is stated in the above Statutory Instrument that:
"The Government's intention in providing eligible parish councils with the general power of competency is to better enable them to take on their enhanced role and allow them to do things they have previously been unable to do under existing powers".
- 2.2 Under the new legislation, eligible councils have "the power to do anything that individuals generally may do" as long as they do not break other laws. It is intended to be the power of first, not last, resort. The eligible council has to ask itself if an individual is allowed to do it. If the answer is "yes", then a council is normally permitted to act in the same way.

3. TYPES OF ACTIVITIES

- 3.1 Although the Government has given scant guidance on operation of the new power, some new activities covered by the legislation include:
 - Running a community shop or post office
 - Lend or invest money
 - Establish a company or co-operative society to trade and engage in commercial activity
 - Establishing a company to provide services such as local transport
 - Providing grants to individuals.
- 3.2 The power is not restricted to use within the authority boundary - an eligible council can use it anywhere.

4. RESTRICTIONS AND RISKS

- 4.1 The only real limitation is that the general power of competence cannot be used to circumvent an existing restriction in an existing specific power. The general power of competence is a power; it cannot be used to raise the precept.
- 4.2 Existing duties remain in place, such as having regard to the likely effect on crime/disorder and biodiversity. There are also many existing procedural and financial duties that remain in place for the regulation of governance (e.g. no delegation to a single councillor). Furthermore, councils must comply

Committee	Full Council
Date	11.07.2019
Item	12

with relevant existing legislation (e.g. employment law, health and safety, equality legislation and duties relating to data protection and freedom of information).

- 4.3** If another council has a statutory duty to provide a service (e.g. education, social service, highways, footpaths, rights of way), it remains their duty to provide it. Nonetheless, eligible councils may assist. The eligible council would need to ask itself whether an individual, private company or community trust could help. If the answer is “yes”, the council can assist.

- 4.4** Whist councils are encouraged to be innovative, they should be aware of the risks of:
- Being challenged
 - Their trading activities damaging other local enterprises
 - Damage to the council's reputation and public money if a project or investment goes wrong.

5. LOCAL GOVERNMENT ACT 1972 (s137)

- 5.1** Expenditure under the Local Government Act (s137) is limited and has to be budgeted for separately. Expenditure is restricted in that it cannot be used to give money to individuals and the amounts must be commensurate with the benefit. Section 137 is a power of last resort.

- 5.2** A council that is eligible to use the general power of competence can no longer use Section 137 as a power for taking action for the benefit of the area. However, Section 137 (3) which permits the council to contribute to UK charities, public sector funds and public appeals remains in place.

6. ELIGIBILITY

- 6.1** The three conditions for eligibility are set out in the Statutory Instrument (paragraph 1.4 above) as follows:

- 1. Resolution:** the council must resolve at a meeting that it meets the criteria for eligibility relating to the electoral mandate and relevant training of the clerk.
- 2. Electoral mandate:** at the time the resolution is passed, at least two thirds of the council must hold office as a result of being declared elected (i.e. not co-opted).
- 3. Qualified clerk:** At the time that the resolution is passed, the clerk must hold a recognised professional qualification (e.g. Certificate in Local Council Administration)

- 6.2** Having decided at a full meeting of the council that it meets the criteria for eligibility at that particular time, a resolution to this effect must be clearly written in the minutes. The council is then required to revisit that decision and make a new resolution at every ‘relevant’ annual meeting of the council to confirm that it still meets the criteria (if it does). A ‘relevant’ annual meeting is the annual meeting of the council after the next ordinary election has taken place

- 6.3** In consequence, eligibility remains in place until the ‘relevant’ annual meeting even if the conditions of the eligibility criteria have changed. If the council loses its qualified clerk or has insufficient elected councillors it must also record its ineligibility at the next ‘relevant’ meeting.

- 6.4** There is no requirement for members to be trained in the general power of competence.

- 6.5** Lindfield Parish Council satisfies all the conditions as:

- 1.** It has 9 out of 12 councillors elected
- 2.** The Clerk of the Council holds the Certificate in Local Council Administration (CiLCA) (certificate included on next page)

7. RECOMMENDATION

It is recommended that the members consider this report and pass the following resolution:

“Lindfield Parish Council resolves from 11 July 2019, until the next relevant Annual Meeting of the Council, that having met the conditions of eligibility as defined in the Localism Act 2011 and SI 965 The

Committee	Full Council
Date	11.07.2019
Item	12

Parish Councils (General Power of Competence)(Prescribed Conditions) Order 2012, to adopt the General Power of Competence”.

Andrew Funnell
Parish Clerk
Lindfield Parish Council

5th July 2019

Committee	Full Council
Date	11.07.2019
Item	13

Report:	Parish Meeting 28 May 2019 – to consider any resolutions passed by the electorate.
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Climate Change report for Full Council

Resolution

At the Lindfield Parish Meeting (28 May 2019) attending members of the electorate agreed to pass the following resolution:

Lindfield Residents note that humans have caused climate change, the impacts of which are being felt around the world. Global temperatures have already increased by 1 degree Celsius from pre-industrial levels. Atmospheric CO2 levels are above 400 parts per million (ppm). This far exceeds the 350ppm deemed to be a safe level for humanity. To reduce the chance of runaway Global Warming and limit the effects of Climate Breakdown, it is imperative that all countries should reduce our carbon equivalent (CO2eq) emissions from their current 6.5 tonnes per person per year to less than 2 tonnes as soon as possible. Councils around the world are responding by declaring a 'Climate Emergency' and committing resources to address this.

Lindfield Residents believes that all governments (national, regional and local) have a duty to limit the negative impacts of Climate Breakdown, and local governments that recognise this should not wait for their national governments to change their policies. It is important for the residents of Mid Sussex and the UK that counties, districts, cities, towns and villages commit to carbon neutrality as quickly as possible.

The consequences of global temperature rising above 1.5°C are so severe that preventing this from happening must be a number one priority, and bold climate action can deliver economic benefits in terms of new jobs, economic savings and market opportunities (as well as improved well-being for people worldwide).

Lindfield Residents seek that the Council:

- (1) Declare a 'Climate Emergency' and show leadership in Lindfield to combat this climate crisis by raising awareness of the issues and ways in which residents and businesses can contribute to mitigate climate change;*
- (2) Pledge to attempt to make Lindfield carbon neutral by 2030, considering both production and consumption emissions;*
- (3) Call on policy makers to provide Lindfield Parish Council with the resources to make the 2030 target possible;*
- (4) Work with other councils and stakeholders to determine and implement best practice methods to limit Global Warming to less than 1.5°C;*
- (5) Set up a Group to investigate in greater detail the climate change crisis and practical actions that Lindfield Parish Council can undertake;*
- (6) Consider whether it would be advisable to consider climate change impacts, when considering planning applications, or taking part in consultations, commenting on reports, plans and reviews put to the Council; and*
- (7) Report within the next six months the actions the Council will take to address this emergency.*

Members are now asked to consider whether the Lindfield Parish Council should implement the points raised by the attending members of the electorate at the Parish Meeting.

Lindfield Parish Council could seek to consider the implementation of the following:

- Assess the feasibility of installing solar panels (and other forms of renewable energy such as heat pumps) at the LPC offices and LPC controlled sites around the village as well as encourage residents and local organisations to do the same
- Pay for the installation of electric car charging points at LPC-controlled cars park in the village and promote sustainable transport
- Use more recycled products

Committee	Full Council
Date	11.07.2019
Item	13

- Avoid purchase of single use plastics
- Look at green energy supplier when renewing contracts
- Install insulation in all of our buildings
- Provide access to drinking water to members of the public e.g. install water fountains
- Use environmentally friendly cleaning products
- Encourage the minimisation of water use as the region faces increasing demands on the water supply
- Improve biodiversity around the village through wilding and non-use of environmentally harmful herbicides and pesticides
- Work with local community organisations to ensure that all events in the village follow the leadership that Lindfield Parish Council are giving e.g. no single use plastics distributed on Village Day.
- In partnership with other agencies hold waste, recycling, reuse and repair awareness presentations and workshops in the village to encourage residents to take individual and collective climate actions

Lindfield Parish Council may also like to consider creating a working group to undertake the required research; this group could assist LPC to develop a sustainability strategy, an action plan with targets and timescales, and regular reporting on progress towards the targets.

Background

On 26th June 2019, Mid Sussex District Council debated a [motion](#) proposed by Andrew Lea. [Here](#) is a link to the MSDC website page (Motion B). The full text of the motion is below and it was passed with 44 votes for, 0 against and 2 abstentions:

“That Full Council notes and supports the declaration by Parliament on 1 May 2019 of an environment and climate change emergency and the intention of Parliament of 12 June 2019 to legislate for net-zero greenhouse gas emissions by 2050. Mid Sussex District Council recognises the responsibility that it has to protect our own environment and tackle climate change.

Therefore, Full Council:

- *Commits to continue to actively seek ways to protect the environment and help to tackle climate change.*
- *Reaffirms its support for its Sustainability Strategy, progress against which is monitored by the relevant Scrutiny Committee.*
- *Agrees to re-establish the Sustainability & Climate Change Panel with 8 Members, to provide advice to the Cabinet Member for Environment & Service Delivery on these issues.*
- *Requests that the Cabinet Member and Officers investigate the feasibility and implications of introducing food waste collection in Mid Sussex and report to the relevant Scrutiny Committee.*
- *Expresses support for the West Sussex Climate Pledge which has been launched by West Sussex County Council.*

Full Council also notes, supports, and will build on the significant actions MSDC has already taken:

- *Reducing residual waste and increasing recycling, including the trial of kerbside collection of textiles and small electrical equipment and expanding garden waste collection.*
- *Installing energy efficiency measures at MSDC's offices, including the installation of PV panels.*
- *Working to reduce the use of single use plastics.*
- *Signing up over 50 cafes, restaurants and businesses to the national Refill scheme to make free water available and reduce single-use plastics.*
- *Installation of electric vehicle charging points in MSDC car parks, with up to 26 further points approved by Cabinet in April 2019.*
- *Provision for electric vehicle charging points in the Northern Arc development.*
- *Securing Green Flag awards at Beech Hurst Gardens and St John's Park, with an application made for a Green Flag award at East Court & Ashplats Wood.*

Committee	Full Council
Date	11.07.2019
Item	13

- Investment in 2019-20 to improve facilities for residents in key parks.
- Negotiating the transfer from Homes England of at least 75 hectares of parks and open spaces to the Council to manage.
- Progressing plans for cycle routes between Haywards Heath, Burgess Hill and Hassocks whilst looking to support cycle initiatives across Mid Sussex
- Adopting District Plan policies on pollution, biodiversity, sustainable design and renewable energy
- Supporting residents with energy efficiency and affordable warmth projects.
- Working with partners to improve air quality at key traffic spots such as the Stonepound Crossroads and London Road, East Grinstead.”

Also, at the meeting on 5th April 2019, West Sussex County Council was asked to declare a climate emergency. This was not approved. Rather an amended motion, as set out below and on the WSCC website [here](#), was unanimously agreed (no votes against and no abstentions):

“This Council notes that humans have caused climate change, the impacts of which are being felt around the world. Global temperatures have already increased by 1 degree Celsius from pre-industrial levels. Atmospheric CO2 levels are above 400 parts per million (ppm). This far exceeds the 350 ppm deemed to be a safe level for humanity and diverse ecosystems. In order to reduce the chance of runaway Global Warming and limit the effects of Climate Breakdown, it is imperative that all countries should reduce our carbon equivalent (CO2eq) emissions from their current 6.5 tonnes per person per year to less than 2 tonnes as soon as possible. Councils around the world are responding by declaring a ‘Climate Emergency’ and committing resources to address this.

This Council has a strong reputation for responding positively to the challenge of climate change. Sustainability is being embedded into the day-to-day business of the Council, such as procurement, the capital programme and introducing electric vehicles into the fleet. An annual sustainability report is produced. The West Sussex Plan also has a strong focus on sustainability and includes targets for renewable energy, carbon reduction, air quality, sustainable transport, encouraging ultra-low emissions vehicles and waste reduction and recycling.

This Council believes that all governments (national, regional and local) have a duty to limit the negative impacts of Climate Breakdown, and local governments that recognise this should not wait for their national governments to change their policies. It is important for the residents of West Sussex and the UK that cities commit to carbon neutrality as quickly as possible.

Councils like West Sussex are uniquely placed to lead the world in reducing carbon emissions – for example because of their capacity for local energy generation, such as running our own solar farms and promoting solar energy take up among local organisations and residents, supporting the greater use of electric powered vehicles both in the private and public sector and for personal use, and investing further in public transport.

West Sussex is already suffering from flooding problems, and a significant proportion of its population and a large number of its settlements are based in coastal areas which would potentially be devastated by a rise in sea levels caused by continual global warming. The consequences of global temperature rising above 1.5°C are so severe that preventing this from happening must be a number one priority. Bold climate action can deliver economic benefits in terms of new jobs, economic savings, market opportunities and improved well-being for people worldwide.

This Council therefore calls on the Cabinet to:

- (1) *Note the call of the Campaign against Climate Change to declare a ‘Climate Emergency’, show leadership to combat this climate urgency in West Sussex and commit to stepping up the work of the Council to combat climate change and raise awareness of the issues and ways in which residents and businesses can contribute to mitigate climate change;*

Committee	Full Council
Date	11.07.2019
Item	13

- (2) *Pledge to attempt to make West Sussex County Council carbon neutral by 2030;*
- (3) *Call on the Government to provide the powers and resources to make the 2030 target possible;*
- (4) *Continue to work with the Department for the Environment, Food and Rural Affairs and other councils to determine and implement best practice methods to limit Global Warming to less than 1.5°C;*
- (5) *Continue to work with partners across the county and region to deliver this new goal through all relevant strategies, plans and by encouraging behaviour change, including separation of food waste for collection and processing for energy generation;*
- (6) *Support the officers working group which is investigating ways of taking into account climate change impacts in all of the Council's policies and operations; and*
- (7) *Revise the Council's reporting framework to highlight annually to full Council the actions taken by the Council to mitigate climate change and its wider environmental impact."*

West Sussex County Council has also recently launched the West Sussex Climate Pledge to promote individual climate actions amongst residents. Their website states as follows:

"Our planet is changing. Climate change is having more and more of an impact and there is a growing urgency for everyone to do something about it.

But what can we do in West Sussex?

There are lots of small changes we can all make which not only helps with climate change but also could improve air quality, our health and save us money.

That's why we've launched the West Sussex Climate Pledge.

The pledge focuses on key steps we can all take to limit the impact we are having on the environment and help keep our county protected for generations to come. From June, we will be raising awareness of one of the following pledge themes each month:

- *Make Low Carbon Journeys*
- *Save Water*
- *Pass-on-Plastic*
- *Fight Against Food Waste*
- *Shop Local*
- *Save Energy*

At the county council we're taking steps to cut our own carbon emissions by making our buildings more energy efficient and reducing our reliance on fossil fuels by introducing renewable energy with our solar farms.

Last year we achieved a 17 per cent reduction in our carbon emissions - a 45 per cent reduction in carbon emissions from the original baseline set in 2011/12. Over the next four years we are planning a £35m investment in low carbon energy projects alone.

You can find more information about our commitment to Sustainability [here](#).

Everyone has a part to play if we want to protect our planet.

There are over 850,000 people living in West Sussex. If we all work together we can make a huge difference

Committee	Full Council
Date	11.07.2019
Item	13

Please show your support by making your pledge and signing-up to receive regular email updates and tips from our team.

We would also love to hear what you are already doing too so get in touch on Twitter @WSClimatePledge, keep an eye out for #WSClimatePledge and join our Facebook group."

Andrew Funnell
Parish Clerk
Lindfield Parish Council

in conjunction with

Peter Desmond
South East Climate Alliance
Fairer World Lindfield

5th July 2019

Committee	Full Council
Date	11.07.2019
Item	14

Report:	CHAIR'S CHAIN OF OFFICE
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QUOTE Q697

LINDFIELD PARISH COUNCIL

CHAIRMAN'S BADGE OF OFFICE

Dear Andrew

These Chairman's badges of office will feature die struck centres with the wording "LINDFIELD PARISH COUNCIL". These centres once stamped will be clipped to shape, vitreous enamel infilled, attached to one of our stock back plates and then polished all over and gilt plated.

ITEM	DESCRIPTION	QUANTITY	UNIT COST
Stamping Die	One off charge (C.T.)	1	£260.00
Chairman's Badge of Office	Metal, gilt plated with vitreous enamel infill.	1	£245.00
	Hallmark Silver gilt plated with vitreous enamel infill.	1	£575.00
Neck ribbon	Royal blue	1	£58.43
Slide bars	For Past Chairman's names to be engraved	Per bar	£4.40
Scratch engraving	Light engraving no colour infill	Per character	£0.34
Engrave & enamel infill	Deep engraving for enamel infill	Per character	£0.92
Pendant case	Navy leatherette lined	1	£36.06

The above prices do not include carriage or VAT.

Our current lead-time is approximately **12** weeks from receipt of official purchase order.

Committee	Full Council
Date	11.07.2019
Item	14

LINDFIELD P.C. Chairmans Badge of Office



No.3
58mm x 90mm
DIE No : S280

Die No.12589
55mm x 45mm

Andrew Funnell
Parish Clerk
Lindfield Parish Council

5th July 2019