



Dear Councillor, you are hereby summoned to attend a meeting of the **Policy and Resources Committee of Marchwood Parish Council** on Monday 22 April 2024 at 7.30pm to be held in **The Pine Room, Marchwood Village Hall**.

Tina Dudley Clerk to the Parish Council

16 April 2024

1. Apologies for absence

To receive and consider for acceptance any Member apologies for absence and approve by resolution.

2. Declarations of Interest

Members and officers are invited to make any declarations of interest that they may have in relation to an item on the agenda and are reminded to make any declarations at any stage during the meeting if it becomes apparent that it may be required.

3. Public Participation

For the public and press to ask questions on matters relating to items on the agenda.

4. Minutes

To approve the minutes of the previous meeting of the Policy and Resources Committee held on 19 February 2024 as a correct record and duly signed by the Chairman (appendix A).

5. Financial reports

- a) Income and Expenditure to 31 March 2024 (Appendix B).
- b) Orders for Payment February 2024 to March 2024 (Appendix C).
- c) Cash and Investment reconciliation to 31 March 2024 (Appendix D).

6. Tree Management Policy

To consider and approve the suggested amendments to the Tree Management Policy (Appendix E).

7. Pensions Discretions

To review and approve the Pensions Discretions Policy (Appendix F).

8. Close of meeting and date of next meeting - 24 June 2024.

All minutes are draft until ratified by the Committee at the next meeting

Marchwood Parish Council

Minutes of the meeting of the Policy & Resources Committee in the Pine Room at Marchwood Village Hall on Monday 19 February 2024 at 7.30pm.

Present: Councillors: N Buckett, J Case, D Hindle (Chairman), J Leath, P Mballa, M Proctor, M Saxby and L Shelley.

In attendance: T Dudley - Clerk to the Parish Council, A Woodward – Responsible Finance Officer.

Apologies

PR/24/025 – Apologies for absence were received from Cllr L Shelley (work commitment).

Resolved – to accept apologies for absence from Cllr L Shelley.

Declarations of Interest

PR/24/026 – There were no declarations pecuniary interest for this meeting.

Public Participation

PR/24/027– No members of the public attended this meeting.

Minutes

PR/24/028 - RESOLVED: to accept the minutes of the Council meeting held on Monday 20 November 2023 as a true and accurate record subject to an amendment to the attendance of Cllr Saxby being present, he had submitted his apologies. The minutes were duly signed by the Chairman.

Financial reports

PR/24/029 –

a) Income and Expenditure up to 31 January 2024

Members requested the costings from the Council's Arboriculturists be provided to the Committee for the financial year 2024/2025 following a meeting with the Corporate Tree Manager who explained new contractors had been appointed by NFDC following a tender exercise.

The rise in water costs at the Lloyd recreation Ground was queried, officers explained that a meter reading had not been taken by Southern Water in some time therefore a deficit had resulted in the current higher water bill than normal. Asked if there was any possibility of water leaks Members were advised ground staff had checked and that there were no obvious leaks to be seen.

Resolved - to approve the income and expenditure up to 31/01/2024.

b) Orders for payment December 2023 – January 2024

Resolved – to approve the Orders for payment December 2023 – January 2024.

c) Cash and Investment reconciliation to 31 October 2023

Resolved – to approve the bank reconciliation to 31 January 2024.

All minutes are draft until ratified by the Committee at the next meeting

Internal Audit report

PR/24/030 – The Internal Audit report was noted.

Resolved – to approve the report and actions appended to the Internal Audit report.

Reserves Policy

PR/24/031 – Resolved – to approve the Reserves Policy subject to a correction 3.3 that the general reserve figure be amended to £160.000 being the desirable amount.

Asset register 2024 - 2025

PR/24/032 – Resolved – to recommend Council approves the Asset Register 2024.

Risk Assessment of Financial systems and Internal Controls

Members questioned if GDPR training had been completed by staff. The Clerk confirmed office staff had completed GDPR training and would ask the Council's HR providers for clarification if the training was required yearly or another regular times. She further confirmed that ground staff do not have access to personal data therefore they were not required to complete the training.

PR/24/033 – Resolved – to recommend Council approves the Risk Assessment of Financial Systems and Internal Controls.

The meeting closed at 8.09pm. Date of next meeting 22 April 2024.

Detailed Income & Expenditure by Budget Heading 31/03/2024

Month No: 12

Cost Centre Report

	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
101 Administration							
1000 Precept	287,057	287,057	0			100.0%	
1020 CIL Receipts	873	0	(873)			0.0%	
1030 Village News Income	1,517	2,370	853			64.0%	
1040 Miscellaneous Admin Income	103	0	(103)			0.0%	
1045 Bank Interest Received	1,014	0	(1,014)			0.0%	
1050 LA Property Fund Dividends	2,199	1,850	(349)			118.9%	
1055 Public Sector Deposit Fund	2,378	350	(2,028)			679.4%	
1060 United Trust Bank	1,188	1,838	650			64.6%	
Administration :- Income	296,329	293,465	(2,864)			101.0%	0
4000 Salaries Net Pay	120,103	130,420	10,317		10,317	92.1%	
4001 PAYE & ER's & EE's NIC	33,219	34,957	1,738		1,738	95.0%	
4002 LGPS ER's & EE's Pension	37,320	33,797	(3,523)		(3,523)	110.4%	
4010 Training - Officers	570	500	(70)		(70)	114.0%	
4011 Training - Ground Staff	0	500	500		500	0.0%	
4012 Training - Councillors	1,330	955	(375)		(375)	139.3%	
4015 Employees Expenses	53	100	47		47	52.9%	
4020 Insurance (All Risks)	8,917	7,600	(1,317)		(1,317)	117.3%	
4025 Legal Fees	2,220	1,500	(720)		(720)	148.0%	
4030 Audit Costs	0	1,500	1,500		1,500	0.0%	
4040 Rialtas Costs	675	1,000	325		325	67.5%	
4042 Citation	2,935	2,877	(58)		(58)	102.0%	
4045 Handy Trust SLA	14,036	15,463	1,427		1,427	90.8%	
4055 Grants Given	550	1,000	450		450	55.0%	
4065 Chairman's Allowance	100	200	100		100	50.0%	
4070 Councillors Expenses	41	400	359		359	10.2%	
4080 Office Rent	9,390	9,387	(3)		(3)	100.0%	
4090 Pine Room and Other Rentals	656	730	74		74	89.9%	
4100 Electricity	4,175	5,500	1,325		1,325	75.9%	
4105 Gas	1,736	1,200	(536)		(536)	144.7%	
4110 Water	1,001	550	(451)		(451)	182.0%	
4115 Telephone and Broadband	1,715	1,400	(315)		(315)	122.5%	
4120 Postage	12	50	38		38	24.0%	
4125 Stationery	293	250	(43)		(43)	117.0%	
4130 Photocopier Costs	84	500	416		416	16.9%	
4135 IT Costs	11,977	11,349	(628)		(628)	105.5%	
4140 Service Costs	1,175	1,300	125		125	90.3%	
4150 Village News Expenditure	4,490	4,400	(90)		(90)	102.1%	
4155 Subs/Publications/Licences	1,787	1,400	(387)		(387)	127.7%	
4157 General Sundries	95	100	5		5	94.5%	

Detailed Income & Expenditure by Budget Heading 31/03/2024

Month No: 12

Cost Centre Report

	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
4160 Vehicle Insurance	2,534	2,355	(179)		(179)	107.6%	
4165 Vehicle Maintenance	2,745	1,000	(1,745)		(1,745)	274.5%	
4170 Vehicle Excise Duty	688	530	(158)		(158)	129.8%	
4175 Fuel	5,120	4,000	(1,120)		(1,120)	128.0%	
4185 Tools and Tool Hire	338	500	162		162	67.5%	
4190 Motor Vehicle Replacements	0	3,350	3,350		3,350	0.0%	
4260 Elections	75	0	(75)		(75)	0.0%	
4265 Notice Boards	1,491	0	(1,491)		(1,491)	0.0%	1,491
4270 Bridge at Oaklands	0	1,000	1,000		1,000	0.0%	
4276 Land Incursions	2,261	500	(1,761)		(1,761)	452.1%	
Administration :- Indirect Expenditure	275,907	284,120	8,213	0	8,213	97.1%	1,491
Net Income over Expenditure	20,422	9,345	(11,077)				
6000 plus Transfer from EMR	1,491						
Movement to/(from) Gen Reserve	21,912						
<u>103 Council Property Expenditure</u>							
4170 Vehicle Excise Duty	508	0	(508)		(508)	0.0%	
Council Property Expenditure :- Indirect Expenditure	508	0	(508)	0	(508)		0
Net Expenditure	(508)	0	508				
<u>201 Amenities</u>							
1035 Community Event Income	2,100	0	(2,100)			0.0%	
Amenities :- Income	2,100	0	(2,100)				0
4195 PPE & General Supplies	780	600	(180)		(180)	129.9%	
4200 Tree Management & Flowers	20,011	10,000	(10,011)		(10,011)	200.1%	
4205 Supply of Public Seating	0	250	250		250	0.0%	
4210 Supply of Litter Bins	0	250	250		250	0.0%	
4215 Supply & Emptying of Dog Bins	557	750	193		193	74.2%	
4220 Under 12 Play Area	83	2,200	2,118		2,118	3.8%	
4225 Outdoor Fitness Equipment	83	1,000	918		918	8.3%	
4230 Cork Field Infrastructure	333	250	(83)		(83)	133.0%	
4235 Admiralty Quay Play Area	83	1,000	918		918	8.3%	
4237 Open Space Maintenance	1,373	1,000	(373)		(373)	137.3%	
4240 LRG Play Area	83	1,500	1,418		1,418	5.5%	
4245 LRG 3G Maintenance	5	800	795		795	0.6%	
4250 LRG MUGA Maintenance	60	0	(60)		(60)	0.0%	
4255 LRG Football Pitch Maintenance	86	500	414		414	17.3%	
4257 LRG Pavilion/Workshop Mainten.	3,226	1,500	(1,726)		(1,726)	215.1%	

Detailed Income & Expenditure by Budget Heading 31/03/2024

Month No: 12

Cost Centre Report

	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
4258 LRG Licenses	258	0	(258)		(258)	0.0%	
4275 Community Events	2,541	0	(2,541)		(2,541)	0.0%	2,541
Amenities :- Indirect Expenditure	29,559	21,600	(7,959)	0	(7,959)	136.8%	2,541
Net Income over Expenditure	(27,459)	(21,600)	5,859				
6000 plus Transfer from EMR	2,541						
Movement to/(from) Gen Reserve	(24,918)						
<u>301 Lloyd Recreation Ground</u>							
1500 Scout HQ Lease Rental	500	500	0			100.0%	
1505 Youth Club Lease Rental	0	500	500			0.0%	
1510 3G Court Hire	4,534	3,000	(1,534)			151.1%	
1515 Football Pitch Hire	2,528	7,000	4,472			36.1%	
1520 MUGA Hire	354	300	(54)			118.0%	
1525 Miscellaneous Hirings	426	0	(426)			0.0%	
1550 Pavillion Room Hire	2,007	0	(2,007)			0.0%	
Lloyd Recreation Ground :- Income	10,349	11,300	951			91.6%	0
Net Income	10,349	11,300	951				
<u>600 UKSPF Project</u>							
1015 UKSPF Project Grant Received	2,000	0	(2,000)			0.0%	
UKSPF Project :- Income	2,000	0	(2,000)				0
Net Income	2,000	0	(2,000)				
Grand Totals:- Income	310,778	304,765	(6,013)			102.0%	
Expenditure	305,974	305,720	(254)	0	(254)	100.1%	
Net Income over Expenditure	4,805	(955)	(5,760)				
plus Transfer from EMR	4,031						
Movement to/(from) Gen Reserve	8,836						

List of Payments made between 01/02/2024 and 31/03/2024

<u>Date Paid</u>	<u>Payee Name</u>	<u>Reference</u>	<u>Amount Paid</u>	<u>Authorized Ref</u>	<u>Transaction Detail</u>
01/02/2024	Business Stream	674	28.76		674 LRG 27/10/2023-17/01/2024
02/02/2024	Will Abraham	677	264.00		677 Flail Hedge Cutting
05/02/2024	BT - British Telecom	673	52.06		673 Cloud January 2024
06/02/2024	CJS Environmental Ltd	676	40.26		676 Hyg Bin 10/01/24-09/01/25
06/02/2024	The Handy Trust	675	1,276.00		675 SLA January 2024
07/02/2024	FuelGenie Business Account	666	32.19		666 Fuel December 2023
07/02/2024	Citation	DD	305.15	AW	Citation February 2024
09/02/2024	HMRC	ELEC PAY	2,846.96	AW	PAYE January 2024
09/02/2024	LGPS	ELEC PAY	3,375.86	AW	Pensions January 2024
12/02/2024	Welcome Shop	D/CARD	1.35	AW	Milk
13/02/2024	South Coast Vehicle Restoratio	681/682	818.67		682 HY71 ELU VAT
16/02/2024	Hampshire County Council	683	101.18		683 Cleaning & Stationary
16/02/2024	J gallagher Insurance	691	367.36		691 Cyber 18/12/2024
20/02/2024	Marchwood Community Associatio	684	2,597.50		684 Rent & Elec Feb-Apr 2024
20/02/2024	Holbury Tool Hire Ltd	685	61.46		685 Tube Grease & PPE
20/02/2024	Travis Perkins Trading Company	686	81.48		686 Postcrete 10x20kg
20/02/2024	TLC Online	687/688	1,020.36		688 2300 v.news inserts 115gsm
20/02/2024	Cloudy IT	689	228.00		689 February 2024
20/02/2024	J gallagher Insurance	690	156.27		690 Youth Club Insurance
20/02/2024	John Case	ELEC PAY	40.95	AW	CIlr Expenses
22/02/2024	Welcome Shop	D/CARD	8.75	AW	Village News Postage
23/02/2024	Salaries	ELEC PAY	9,896.72	AW	Salaries February 2024
26/02/2024	Holbury Hardware Stores	D/CARD	8.99	AW	Pavillion Cabinet Lock
27/02/2024	Hampshire County Council	698	159.16		698 Stationary & Cleaning
28/02/2024	BT - British Telecom	694	119.16		694 Phone/Broaband Feb 2024
28/02/2024	Noticeboard Warehouse	697	1,789.03		697 LRG Notice Board
28/02/2024	BT - British Telecom	694	119.16		Purchase Ledger DDR Payment
29/02/2024	FuelGenie Business Account	Credit	-13.99		P/Ledger Electronic Payment
29/02/2024	FuelGenie Business Account	Correction	13.99		P/Ledger Electronic Payment
01/03/2024	Welcome Shop	D/CARD	1.35	AW	Refreshments
06/03/2024	BT - British Telecom	693	52.06		693 Cloud Voice Feb 2024
06/03/2024	SSE Southern Electric	695	195.02		695 LRG Gas 30/11/23-30/12/23
07/03/2024	SSE Southern Electric	696	364.44		696 LRG Gas 31/12/23-31/01/24
07/03/2024	Citation	D/D	305.15	AW	March 2024
08/03/2024	FuelGenie Business Account	692	13.99		692 January 2024
11/03/2024	Certas Energy	701	1,554.00		701 Diesel 1000 Litres
12/03/2024	Marchwood Community Associatio	702	78.75		702 Room Bookings Feb 2024
12/03/2024	Holbury Tool Hire Ltd	703/704	51.22		704 STIHL Autocut
12/03/2024	Hunt Forest Group Ltd	705	242.71		705 HY21 GVV Insp Oil Light
12/03/2024	The Handy Trust	706	1,276.00		706 SLA February 2024
12/03/2024	Gristwood & Toms Ltd	707	291.28		707 Trees February 2024
12/03/2024	Cloudy IT	708	228.00		708 March 2024
12/03/2024	The Play Inspection Company Lt	709	495.00		709 Annual Inspection 5x Parks
12/03/2024	Acorn Industrial Services Ltd	711	136.27		711 Bearings
13/03/2024	Sainsburys	D/CARD	20.10	AW	Refreshments
13/03/2024	Holbury Hardware	D/CARD	4.98	AW	Tap Connector
14/03/2024	Blackfield Garage Services Ltd	D/CARD	48.00	AW	MOT HY21 GVV to 13/04/2025

List of Payments made between 01/02/2024 and 31/03/2024

<u>Date Paid</u>	<u>Payee Name</u>	<u>Reference</u>	<u>Amount Paid</u>	<u>Authorized Ref</u>	<u>Transaction Detail</u>
15/03/2024	LGPS	ELEC PAY	3,375.86	AW	Pensions
15/03/2024	HMRC	ELEC PAY	2,838.96	AW	PAYE February 2024
19/03/2024	DVLA	D/CARD	320.00	AW	Car Tax HY21 GVV to 31/03/2024
22/03/2024	Salaries	ELEC PAY	9,789.40	AW	Salaries March 2024
29/03/2024	FuelGenie Business Account	710	27.98		710 Petrol February 2024
Total Payments			<u>47,507.31</u>		

Marchwood Parish Council 2023-2024

Bank - Cash and Investment Reconciliation as at 31 March 2024

Confirmed Bank & Investment Balances

Bank Statement Balances

31/03/2024	Business 30 Day Notice Acc 031	30,058.91
31/03/2024	Instant Access account 458	35,706.35
29/02/2024	United Trust Bank 163	92,249.16
29/02/2024	CCLA Deposit Fund 235	54,505.20

212,519.62

Unpresented Payments

147.14

Closing Balance

212,372.48

All Cash & Bank Accounts

1	Lloyds Treasurers Account 458	56,389.22
4	United Trust bank 20121163	92,249.16
5	CCLA Deposit Fund 0011235	54,505.20
	Other Cash & Bank Balances	0.00
	Total Cash & Bank Balances	203,143.58



Marchwood Parish Council Tree Management Policy

1. Introduction

Marchwood Parish Council (MPC) has adopted parts of New Forest District Council's Corporate Tree Strategy which are relevant in order to maintain a consistent approach to tree management in the Parish of Marchwood.

Trees are a highly valued feature of the parish of Marchwood; they make an enormous contribution to the character and beauty of our landscape and create /maintain environments rich in biodiversity. Marchwood Parish Council values its trees and recognises both the human and environmental benefits of having a healthy and sustainable tree population.

We also recognise that although trees are a positive feature, they can be the cause of a range of problems, from being a nuisance or inconvenience to potentially causing serious injury or even death. As a tree owner we have a direct responsibility for ensuring our trees do not pose a danger to the public or property and are managed appropriately. This policy sets out Marchwood Parish Council's approach to tree management.

We aim to inspect our tree stock at an appropriate frequency, depending upon the number of pedestrians, vehicles and other targets either passing beneath or within falling distance of the tree, to ensure continued public safety. Following inspection, the trees will be reinspected at intervals ~~assigned a risk classification~~ which will inform their prioritisation for maintenance works.

2. Policy scope

This policy applies to all trees under Marchwood Parish Council ownership / management, regardless of their location.

Set out below is an overview of responsibility for tree related issues which are not specifically managed by Marchwood Parish Council.

New Forest District Council (NFDC) and the New Forest National Park Authority (NFNPA) work in partnership, and the majority of planning related tree services are currently administered by the National Park on behalf of NFDC under a service level agreement. This relates to trees, both in the National Park, and the wider New Forest District Council area. This includes administering Tree Preservation Orders, Conservation Areas, Hedgerow Regulations and planning applications relating to trees (email: trees@newforestnpa.gov.uk. Telephone no. 01590 646600).

The NFDC Planning Department deal with enquiries relating to the Local Government (Miscellaneous Provisions) Act 1976 Section 23 & 24, in relation to dangerous trees in private ownership and enquiries relating to High Hedges (Anti-Social Behavior Act 2003 Part 8). (Telephone no. 023 8028 5000).

Trees growing on land which forms part of the adopted highway are the responsibility of the Highways Authority, Hampshire County Council. (Telephone no. 0845 603 5368 Website: www.hants.gov.uk).



Marchwood Parish Council Tree Management Policy

The Forestry Commission is responsible for the management of trees on Crown land within the New Forest area (Telephone no. 02380 283141 Email: southern.reception@forestry.gov.uk).

The NFDC Corporate Tree Team provides a tree management and advisory service to Marchwood Parish Council. This strategy does not specifically relate to those arrangements, however, the principles set out in this document are generally applied in the delivery of this service.

Marchwood Parish Council is happy to give brief informal advice relating to the management of private trees. Tree owners are directed to the Arboricultural Association's list of approved contractors and consultants (www.trees.org.uk).

Although we believe this policy to be as comprehensive as possible, we acknowledge it does not cover every situation. MPC reserves the right to exercise discretion in application of this policy when to do so would be in the best interests of the Council and its residents.

3. The importance of trees in the urban and rural landscape

Trees are important features in the landscape. They help to create an attractive environment, making the Parish a better place to live, work, study and visit. They bring colour and contrast, screen unsightly structures, give privacy and soften the hard lines of streets and landscapes. Not only do trees have a visual quality, but they also enhance the environment in less obvious ways:

- They improve air quality by filtering airborne dust, smoke and fumes.
- They absorb traffic noise in built-up areas and can help limit noise pollution.
- They reduce temperature extremes by providing shelter in hot weather and insulation in cold weather; trees adjacent to buildings can reduce air conditioning and heating costs.
- They act as a screen, increasing privacy in residential roads and gardens.
- They convert carbon dioxide to oxygen, increasing the quality of the air locally and helping to reduce the 'greenhouse effect';
- They provide food and habitat for birds and other wildlife, thus supporting nature conservation value and biodiversity.
- Research has shown that trees provide many psychological and health benefits and have been shown to reduce stress significantly.

4. Trees on Marchwood Parish Council owned / managed land.

The Council has discretionary power to provide and maintain trees on open spaces and amenity land under the Open Space Act 1906. As such we have a responsibility to maintain trees within our ownership / management to ensure they are in a safe condition and not causing an unreasonable danger or actionable nuisance. All enquiries regarding trees on Marchwood Parish Council land should be directed to the Council on 02380 860273 / via our website.

4.1 Inspection of trees

We work to a risk-based approach to tree management: a program of inspection identifying and prioritising potential hazards. As NFDC carry out the inspections on



Marchwood Parish Council Tree Management Policy

behalf of the Parish Council, Marchwood Parish Council has adopted the NFDC Corporate Tree Risk Strategy in regard to tree inspection priorities.

4.2 Tree maintenance

Our tree maintenance work will be conducted as a result of information gathered during pro-active tree inspections. However, reactionary tree maintenance will always form a key element of overall tree maintenance operations and normally originates from the following:

- Programmed and routine inspections by a qualified tree inspector/consultant.
- Ad-hoc inspections by the Maintenance & Facilities Supervisor following enquiries, reports and service requests.
- Reports from residents.
- Enquires from County, District and Parish Councillors.
- Reports from utility companies.
- Cyclic maintenance.
- Emergency works (e.g. resulting from high winds).

The following categories will be used when prioritising tree works:

Priority	Response
Priority 1: Urgent Public Safety	From within 24 hours to one week depending upon the risk
Priority 2: Non-urgent but essential work	Between 1 to 6 months depending upon risk and time of year
Priority 3: Desirable	12 months where possible
Non-priority	No action proposed

A tree could warrant immediate attention if, for example:

- it has snapped or blown over;
- it is rocking (roots are damaged);
- it is uprooted but held up by another tree or building;
- a large branch has broken off or is hanging off the tree;
- it or its branch is blocking the road or footpath;
- it or its branch is blocking access to property;
- it has fallen onto a structure, such as a building or car.

~~A tree may be a risk to people or property but does not require immediate attention if, for example~~

- ~~• it is dead;~~
- ~~• it is dying (few leaves in summer or dieback in the crown);~~
- ~~• its bark is loose and falling off;~~
- ~~• mushrooms or fungi are growing on or near the tree;~~
- ~~• old splits and cracks are in the trunk or large branches;~~
- ~~• smaller branches or twigs are falling from the tree.~~



Marchwood Parish Council Tree Management Policy

Trees will be made safe via pruning or felling and we would use the most cost-effective approach. However, for certain high value trees we would consider other options to reduce the risk to an acceptable level. This would include options to reduce the likelihood of the tree failing or the likelihood of persons being close to the tree if it did fail.

5. ~~Publicising tree felling / pruning~~

~~Where works are minor such as pruning (including repeat cyclical pruning of trees) or involve removing trees that are less than 15 cm diameter (6 inches) at a height of 1.3 metres, we will not publicise the works.~~

~~Where works are more impacting, for example, felling larger trees, carrying out works to a veteran tree or a tree with a Tree Protection Order (TPO), we will erect an informative site notice on or very close to the affected tree. If more than one tree at the same location are affected it may be more appropriate to erect a site notice including a map / schedule.~~

~~If a tree scheme (felling, pruning or planting) is judged to be more impacting on the local area we will consider more publicity as appropriate.~~

~~Where a competent officer has determined that the tree should be felled on public safety grounds there will be no public consultation and no right of objection.~~

6. Dealing with tree care

While works are sometimes necessary to ensure that trees are in a safe and healthy condition, we receive many requests and complaints regarding trees. It is important that individual issues are dealt with consistently and that decisions are balanced against the positive contribution that trees make to the environment and enjoyment of the Parish by local residents and visitors. ~~Many of the complaints received involve minor or seasonal issues that are generally considered to be foreseeable or social problems associated with living near trees, which can often be minimised through careful pruning and careful species selection when planting.~~

To ensure that requests for works to trees are dealt with efficiently, consistently and fairly, our policy in relation to the more common types of request is outlined below.

6.1 Obstructing / Overhanging Tree Branches

Tree branches can cause obstructions to public footpaths, roadways / signs, streetlights and open spaces. Appropriate pruning to eliminate hazards caused by obstructive branches will normally be acceptable, providing efforts are made to retain the shape of the tree.

We will undertake work to trees in Council ownership / management to maintain a minimum of 5.5 meters clearance over roads and 3 meters over formal footpaths.

We will not prune trees that overhang neighboring properties unless the trees are dangerous or causing an actionable nuisance ~~(i.e. touching the walls, roofs, windows, gutters, garage etc).~~ This will ensure that damage to property ~~such as aerials, tiles or gutters~~ is avoided.



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Adjacent Landowners do have a common law right to prune back tree branches to their boundary, providing that this would not lead to tree death and providing that the tree in question is not protected by a Tree Preservation Order (TPO) or situated within a Conservation Area.

6.2 Shading and Loss of Light

Trees are often perceived to block light to nearby properties. However, pruning or removal of trees will often have a negligible impact on the amount of light reaching a house or garden. Therefore, tree works to improve light levels will not normally be considered.

~~Where elderly, infirm or disabled persons who spend a significant amount of time within their home are affected by loss of light, or it can be established that the presence of trees is detrimental to the health of such residents, further consideration will be given to the management approach to trees. This consideration will also take into account the quality and importance of the tree in question, as well as the benefits to the wider community.~~

6.3 Loss of View

Trees will not be pruned for views or removed to restore views when necessary to retain important public viewpoints or there is potential to bring about significant public benefit and/or enhance the local landscape or townscape. Historical records may be used to determine the level of management required. Pruning of trees for highway sight-line requirements will be dealt with by the Highway Authority.

6.4 Trees affecting reception (Television / Satellite / Solar Panels)

Pruning in the short term may help improve television reception. However, in the long term the flush of quick, extra growth associated with pruning can exacerbate the problem. In most cases the problem can be resolved by relocating the aerial or satellite dish, or alternatively using a booster. Residents are advised to contact their satellite or TV provider for specialist advice. ~~Removal or pruning of trees to enable a clear television reception would only be considered in exceptional circumstances.~~

Similarly, we will not prune or fell a tree in our ownership / management to improve natural light to a solar panel. Whilst we recognise the need for renewable energy sources, trees are also important in tackling climate change.

6.5 Overhead Cables / Telephone Wires

Utility companies have certain legal rights to carry out works to public or privately owned trees to address health and safety problems and to maintain a clearance between trees and their apparatus to ensure continuity of supply. This may sometimes involve the loss of trees. Where works to trees are necessary as a result of proximity or conflict, we will encourage utility operators to adopt the most appropriate long-term solution, giving consideration to tree health, local tree cover and visual amenity.



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Problems caused by branches interfering with privately owned telephone wires can usually be eliminated through appropriate pruning and tree removal would not usually be considered.

We will not prune or fell a tree in our ownership / management to prevent or reduce interference with telephone wires. We would recommend contacting the telephone service provider in such circumstances.

6.6 General / Minor Nuisances

We will not fell or prune trees solely to alleviate problems caused by natural and/or seasonal phenomena, which are largely outside of our control. There are a variety of potential nuisances associated with trees, most of which are minor or seasonal and considered to be normal and acceptable consequences of living near trees. Examples of such problems are:

- falling leaves, sap, blossom, fruit, nuts, bird and insect droppings;
- insects associated with trees (spiders, wasps, flies etc);
- reduction or increase of moisture to gardens;
- suckers or germinating seedlings in gardens;
- leaves falling into gutters, drains or onto flat roofs;
- the build-up of algae on fences, paths or other structures.

Clearing of leaves from gutters and pathways and weeding of set seeds are considered to be normal routine seasonal maintenance which property owners are expected to carry out.

Falling leaves, sap, blossom, fruit, nuts, bird and insect droppings are not readily controllable by pruning and cleaning of affected surfaces can be considered to be routine maintenance. Pruning will not normally be considered solely as a way of alleviating problems with these issues alone.

We would not normally prune or fell a tree under our ownership / management that bears poisonous fruit / foliage (such as laburnum or yew).

~~However, where it is known that unsupervised young children are likely to be exposed to berries or foliage that will make them ill if eaten, we will investigate and take action, where appropriate.~~

6.7 Trees considered too big / too tall

We will not prune or fell a tree under council ownership / management because it is considered to be 'too big' or 'too tall' for its surroundings. Trees grow adaptively to support themselves in relation to their surroundings and the typical loads they can be expected to experience. Trying to contain trees to a specific size is only a suitable management regime for certain species in specific circumstances (i.e. pollarding).

This process is initiated 'soon after (a) tree is established' and 'larger trees should not normally be treated in this way' (BS3998: 2010 Tree work – Recommendations). 'Crown reduction' can also be used to allow the retention of an important tree with structural defects, trees which cause an obstruction or trees which are likely to



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cause structural damage to property which would otherwise need to be removed. In all other situations, reducing the size of a tree's crown is not considered appropriate.

6.8 Personal Medical Complaint

We will normally not prune or fell a tree under our ownership/management where a request has been made to do so because of a personal medical complaint. ~~However, where it can be established that the presence of a tree is causing a detriment to the health of residents' further consideration will be given to the management approach of trees.~~

6.9 Ivy

Ivy (*Hedera helix*) is a native species which provides important habitat to a wide range of wildlife, especially as an important source of food and cover for birds. Ivy often grows on tree stems and branches and can restrict the full structural assessment of a tree. It is rarely a significant threat to healthy trees.

Ivy will be severed at the base of relevant trees where it restricts the full assessment of parts where a significant defect is suspected, or where ivy growth is so prolific it increases the sail area or affects the growth of the inner crown of a tree to an unacceptable level.

Once severed, ivy will be left in situ to die back. This will reduce the impact of any loss of cover/habitat to local biodiversity and will help prevent sun damage to newly exposed parts of the tree.

7. Damage and tree roots

Many tree conflicts arise because of the presence of tree roots and the perception that they are causing damage. Where damage is alleged, each complaint will be investigated on an individual basis. The following guidance will be used in assessing levels of nuisance and identifying appropriate action.

Root invasion in gardens; tree roots in gardens are a natural occurrence and root presence is unlikely to be affected by tree pruning or removal. Landowners do have a common law right to prune back tree roots to their boundary, providing that this would not lead to tree death and providing that the tree in question is not protected by a Tree Preservation Order (TPO) or situated within a Conservation Area.

Most species of deciduous tree will re-sprout from the stump when cut down. Many species will produce a new growth shoot from a root if it becomes exposed to sunlight through ground erosion. Some species readily produce shoots from their buried roots as a way to regenerate and this is often stimulated by stresses, such as heavy pruning or felling. Numerous tree species (including Cherry and Poplar) are therefore likely to produce vigorous root suckers as a response to being felled. Poisoning a stump to prevent such suckering is not always successful since application of herbicide onto a stump face often only affects the stump and the upper roots.

Tree felling or branch pruning in response to root invasion in gardens would not normally be appropriate, as such works are likely to worsen existing problems. The pure encroachment of roots into adjoining land is not considered to amount to actionable nuisance.



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7.1 Damage to walls and fences

It is often possible to rebuild or repair garden walls and fences to take account of adjacent trees. This can be achieved in a number of ways (for example installing a section of railing or bridging foundations around the base of a tree). Therefore, where trees are considered to be causing damage to walls or fences, we will only consider tree removal if the walls or fence is irreplaceable and of exceptional importance e.g. a retaining wall or of historical interest, or if there is a risk to public health in leaving the tree which cannot otherwise be mitigated. If a damaged wall or fence was constructed after planting of the tree, it may mean that the design or construction has failed to take the presence of nearby trees into account.

7.2 Damage to paths

It is often possible to repair paths to take account of adjacent trees and tree roots. Where roots protrude they can be root pruned, or the path re-laid around the tree with flexible materials such as asphalt to provide a smooth surface. Where trees are considered to be causing damage to paths or footpaths, we will not normally consider tree removal except where there is a risk to public health which cannot otherwise be mitigated.

7.3 Damage to drains or water pipes

There is no evidence to suggest that the tree roots can actively penetrate an intact pipe or drain, but they can find their way into drains by any existing fault and increase damage. In these situations, the owner of the drain should seek to get the drain repaired at their own expense. Tree removal will not normally be considered.

7.4 Trip Hazards

We will make safe an unacceptable trip hazard in a street, road or highway which is caused by a tree in our ownership / management.

~~7.5 Installation of drop kerbs~~

~~We will consider felling or pruning the roots of a tree under our ownership / management to allow the installation of a drop kerb. Each case will be considered on an individual basis.~~

8. Protected trees

8.1 Tree Preservation Orders (TPO's)

A TPO is a legal document made, administered and enforced by the local planning authority, to protect specified trees and woodlands with public amenity value.

A TPO prevents cutting down, uprooting, topping, lopping, willful damage or destruction of trees (including cutting roots) without permission.

Marchwood Parish Council recognizes its responsibilities in regard to its trees that are protected by TPOs.

8.2 Trees in Conservation Areas



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It is an offence to cut down, prune, lop, top, uproot or willfully damage or destroy a tree in a conservation area ~~without giving prior written notice to New Forest National Park Authority.~~

The Parish Council recognizes its obligations when undertaking works to trees in conservation areas.

9. Other factors constraining work to trees

9.1 Birds

Under the Wildlife & Conservation Act 1981 (as amended) it is an offence to kill, injure or take wild birds, their young, their eggs or nests. Work will be risk assessed and non-urgent major tree work involving tree removal / reduction and hedge cutting operations should not normally be undertaken during bird nesting / breeding season, which is considered to be from 1st March to 31st July.

9.2 Bats

Bats are a European Protected Species and are protected by the Conservation of Habitats and Species Regulations 2010 and the Wildlife & Countryside Act 1981 (as amended). Causing damage to a roosting / nesting site is a criminal offence which can lead to imprisonment. Trees displaying signs of roosting bats will be referred to an Ecologist before any work commences. Any trees supporting roosting bats will not be worked on until Natural England is consulted.

9.3 Restrictive Covenants

Occasionally, restrictive covenants attached to the deeds for a property may restrict what work can be undertaken to trees.

10. Vandalism and damage to council owned/managed trees

~~Vandalism is an increasing pressure on trees. Usually it is young newly planted trees that are damaged; however, mature trees are often damaged too. There are various ways in which vandalism can be counteracted, but none of these is 100% effective against determined attack.~~

~~The main methods of deterring vandals are to plant large numbers of very young trees, known as whips, or to plant larger robust trees depending on the site. Another method is to put guards or fencing around trees, but these have to be large enough and strong enough to offer real protection.~~

~~This latter approach tends to be the most expensive method and only appropriate in very high-profile positions. In the long run, increasing environmental awareness within schools and communities should help reduce vandalism. There are cases where trees we own / manage have been irrevocably damaged or removed without permission. We will investigate any reports of vandalism / damage to trees in our ownership / management and try to repair any damage where we can.~~

Where possible, we will take legal action against the person(s) causing the damage.

11. Biosecurity / Pest & Epidemic Management

Biosecurity is a set of precautions that aim to prevent the spread of pests, pathogens or invasive species. The threat to trees from these has never been greater and as a large



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landowner we undertake to follow best practice and specific advice which is regularly published by the Forestry Commission. Attendances to high-risk sites are subject to risk assessment and we employ measures to minimise pest or disease spread.

12. Tree pruning techniques and who carries out the work

Marchwood Parish Council will seek to ensure that tree works are carried out to the highest standards. In carrying out tree works, we and any third party working on trees over which we have a responsibility, will ensure that pruning conserves the overall amenity value, form and shape of the tree and all tree works must be carried out in accordance with British Standard 3998 – Recommendations for Tree Work. Particular pruning specifications may or may not be appropriate for trees of different ages, species, health and condition, or even between trees of the same species depending on their condition, age and environment. Clear and acceptable pruning objectives are necessary in advance of approval of a pruning specification.

12.1 Stump Grinding

Stump grinding is the practice of removing a tree stump to below ground level by mechanical means. We will carry out stump grinding where necessary to enable new trees to be planted or to remove a significant hazard. Where stump removal is not necessary tree stumps will be removed close to ground level so as not to leave a trip hazard.

13. Damage Caused by Trees

13.1 Direct damage to property

Tree roots, stems and branches get thicker each year via a process called secondary thickening. Over time as they increase in size, they can disrupt or distort adjacent structures and surfaces. This is generally limited to 'lightly loaded' structures such as low walls, fences and paving. Trees generally deflect around more 'heavily loaded' structures such as houses.

In such circumstances alternatives to tree removal will be explored (i.e. engineering solutions). The asset value of the tree will be considered against the cost of alternatives. (i.e. applying the CAVAT (Capital Asset Valuation of Amenity Trees) system of evaluation.

13.2 Indirect damage to property (Subsidence)

Incidents of subsidence related damage involving MPC trees are rare; however, there are areas of shrinkable clay soil within the Parish.

Throughout the growing season, as part of the growth process, trees extract water from the soil and release it into the atmosphere. On highly shrinkable clay soils this can result in soil shrinkage or movement which, in specific circumstances, can lead to the differential movement of structures with the potential for damage. Such soil movement can also be attributable to a wide range of other factors including the climate, surface vegetation such as grass or shrubs, drainage issues and other factors linked to the design and installation of the structure/building. Careful analysis of a range of evidence is required to determine the cause on the balance of probabilities. As set out in the accepted national guidance document "Subsidence of Low-Rise Buildings" (Institution of Structural Engineer's 2000)



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other potential influencing factors should be eliminated before the assumption is made that trees are the cause of structural movement.

Recent case law has helped to clarify the court's perspective on this issue and set out that alternative solutions to tree removal should be considered; and also clarified how tree owners should proactively manage the risk from trees on clay soils.

MPC will review its land holdings where there have been successful claims of damage and review if there are trees in this area which are likely to pose a 'real risk' and will take appropriate action.

13.3 Subsidence

While we recognise our responsibilities for the trees in our ownership / management, we will expect any claim against our own trees to be supported by sufficient evidence to show that the tree in question is a contributory factor in the subsidence. Where this evidence is provided, we will obtain expert specialist advice to verify submitted evidence as necessary. We will therefore require the following information in order to consider a claim associated with tree related subsidence:

- description of type of damage;
- indication of seasonal movement;
- levels and distortion survey;
- visual evidence of damage;
- depth of foundations demonstrated from excavated trial holes;
- analysis of soil type under foundation;
- presence and identification of tree roots.

We will not normally subject our trees to regular heavy pruning to deal with suspected damage. Instead we will where feasible opt for removal and replacement planting with an alternative species that is less likely to cause future problems.

13.4 Heave

When a tree is removed in a clay sub-soil, the soil will rehydrate and swell in volume. The expansion may lift the foundations and cause cracking to the property. This is known as 'heave'. This is more likely to occur if the removed tree was mature and had a high-water demand such as an oak tree. No liability, at present, falls upon a local authority for damage due to heave resulting from tree removal where this is requested by the third party.

13.5 Insurance Claims

Where trees are alleged to have caused direct or indirect damage to property and a formal claim is submitted the matter will be referred to the Council's insurers.

Members of the public who are concerned about tree related subsidence are advised to contact their insurers.

14. Protection and Enforcement

MPC will adopt a robust approach to damage its property. Where MPC trees are felled or damaged without prior consent the matter will be referred to the police. Civil action will



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be considered to recover compensation for the loss of the tree and/or any remedial works including replanting with a suitable replacement, and aftercare. Accepted tree valuation methods will be applied, where appropriate, to establish a monetary value of the tree/s. Officer time investigating damage may also be incorporated in any claim.

MPC will also consider the use of Tree Preservation Orders in conjunction with the Local Planning Authority (The New Forest National Park Tree Team) to increase the legal protection afforded to specific trees or woodlands which are considered to be under threat. Where damage is caused to a tree which is protected by a Tree Preservation Order, the Council will consider prosecution.

15. Tree Planting

The principle aim of new planting will be to maintain and increase tree cover within the district and to achieve a robust and diverse tree population, well suited to the planting location and able to meet the challenges of a changing climate and pests and disease, whilst maximizing amenity, biodiversity and other tree related benefits.

All new tree planting will utilise high-quality, disease-free planting stock from reputable suppliers grown to British Standard 3936

Planting will be undertaken following the principles set out in the British Standard 8545 (2014) Trees: From Nursery to Independence in the Landscape – Recommendations.

MPC recognises the contribution of native species to biodiversity and also to the character of the New Forest, however this must be considered in tandem with the predicted impacts of climate change.

The ultimate aim will be a robust tree stock of varied age distribution and a wide range of appropriate species and genetic material.

MPC will explore options relating to the provenance of trees (both in terms of origin of seed and all parts of the growing process) and will look for opportunities to support those suppliers who grow high-quality, disease-free trees which are likely to be suitable for the future. This will help to reduce risks associated with the importation of trees and soil which are a significant source of pests and disease which threaten UK trees.

MPC will investigate the potential to source trees which meet this criterion and will support and work with those suppliers who can help achieve this goal.

Trees will be selected which will be specifically suited to their location for the long term and will minimise future conflicts.

There will be an overriding bias towards the planting of larger species of tree which provide correspondingly greater benefits, however smaller species will be considered where appropriate, including the potential creation of community orchards where there is local support and suitable sites available.

MPC is committed to replanting trees following a tree removal. Wherever possible at least one replacement tree will be planted for each tree removed. Where, due to location or other issue this is not appropriate, MPC will seek to plant at least one tree on land which it manages in the vicinity so the tree cover in the local area is not diminished.



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16. Aftercare

Good aftercare for 2-3 years after planting is essential to ensure that the investment in trees is not wasted; this is particularly true for larger 'standard' trees. Aftercare of trees can be time consuming and expensive.

MPC will actively seek to involve the local community to help with watering and aftercare of newly planted trees (also giving them a vested interest in the future health of the tree). ~~The Parish Council's in-house maintenance team will undertake the required watering of the new planted trees; however in certain circumstances a contractor will also be employed to water trees on a regular basis.~~

MPC will seek to plant tree stock, where possible, which has a lower aftercare requirement, increasing the cost effectiveness of planting schemes.

17. Managing Trees Sustainably

Arisings from MPC tree works which are used within the Parish, are typically left on site as habitat (as a weed suppressant on flower beds) or are used along woodland footpaths. Any chippings removed from the area are typically processed into fuel for biomass boilers. The Council's tree contractor produces approximately 300 tons of woodchip for biomass resulting from tree works for NFDC and its partners each year.

18. Non-Covered Works

No works to MPC trees will be permitted.

~~If action on any tree is required by a member of the public which is not covered by our policy, then the householder or organisation must apply for Tree Preservation Order consent, if appropriate, from New Forest National Park Authority and supply the Parish Council with a copy of the application and any subsequent permission. If the tree is not covered by a Tree Preservation Order then permission must be given in writing by the Parish Council. If permission is granted for the work the applicant must obtain quotations from contractors approved by the Parish Council and arrange for the works to be carried out at their own expense. All works, when completed will be inspected by the Parish Council.~~

Contact:

The Clerk of Marchwood Parish Council

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Email office@marchwoodparish.gov.uk



Employer Discretions Policy

Employer name: Marchwood Parish Council

Policy reviewed: 22 April 2024

Statement of policy

on the Local Government Pension Scheme Regulations (LGPS) 2013 and the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014.

This document sets out the scheme employer's policy on the operation of each of the mandatory discretions (and optional discretions where chosen) available under the LGPS Regulations. It states whether or not discretions will be operated and the circumstances and criteria for applying them

The following discretions apply to members who were actively paying into the scheme as at 1 April 2014 onwards

PART A - Mandatory Discretions

Power to award additional pension (Regulation 31)

Whether, at the full cost to the Scheme employer, to grant extra annual pension of up to £7,352 (figure at 1 April 2022) to an active member or within 6 months of leaving to a member whose employment was terminated on the grounds of redundancy or business efficiency [regulation 31 of the LGPS Regulations 2013]

Employer Policy Decision

The Council will not consider buying you additional pension, however, if an employee is retired in the interests of efficiency of the Council it may consider buying additional pension in the LGPS up to an amount no greater than £7,352 (increased annually by the Pensions Increase). The payment will not be greater than the amount you would have received had you been made redundant.
There may be tax implications associated with this.

Shared cost additional pension contributions (Regulation 16(2e) (4d))

Whether, how much, and in what circumstances to contribute to a Shared Cost APC scheme

Where an active scheme member has decided to make Additional Pension Contributions (APCs) to purchase extra pension benefits up to £7,352 per annum (figure as at 1 April 2022), the employer can resolve to **voluntarily** contribute towards the cost of this too.

Note: This does not include instances where the employee is paying for **lost** pension via an APC where the election was made in the first 30 days (or longer if the employer

allows) – in this circumstance the employer **must** pay two-thirds of the cost of such purchase

Employer Policy Decision

An individual may choose to voluntarily increase the level of pension for themselves but the Parish Council would not consider increasing the level of its contribution unless there are exceptional reasons for doing so.

Whether to allow flexible retirement - (Regulation 30 (6)) & TP11(2) & R30(8)

Whether to allow flexible retirement for staff aged 55 or over who, with the agreement of the Scheme employer, reduce their working hours or grade [regulation 30(6) of the LGPS Regulations 2013] and, if so, as part of the agreement to allow flexible retirement:

- whether, in addition to the benefits the member has built up prior to 1 April 2008 (which the member must draw), to allow 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 / or
- all, part or none of the pension benefits they built up after 31 March 2014 [regulations 11(2) and 11(3) of the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014], and
- whether to waive, in whole or in part, any actuarial reduction which would otherwise be applied to the benefits taken on flexible retirement before Normal Pension Age (NPA)

Employers may allow a member from age 55 onwards to draw all or part of the pension benefits they have already built up whilst still continuing in employment. This is provided the employer agrees to the member either reducing their hours or moving to a position on a lower grade.

In such cases, pension benefits will be reduced in accordance with actuarial tables unless the employer waives the reduction either fully or in part or a member has protected rights.

Please be aware, if you allow members to retire under flexible retirement, and they meet the 85 year rule between the ages of 55 and 60, there may be a cost to the employer as there is no option to switch the 85 year rule off in this instance.

Employer Policy Decision

i) Whether to allow flexible retirement

The Parish Council may consent to benefits being paid under the flexible retirement policy to an employee over the age of 55 who requests this, provided

the remuneration is being reduced by 40% through either a reduction in hours or grade or the reduction is less than 40% and does not incur a pension fund charge. Employees should note that the final decision as to whether or not to grant flexible retirement is at the discretion of the Council as the employer.

ii) **Whether to allow the member to choose to take**

- a. part or none of the pension benefits they built up after 31 March 2008 and before 1 April 2014, and / or

The early payment of any benefits in such circumstances will not be permitted if it would incur a cost to the Parish Council.

- b. all, part or none of the pension benefits they built up after 31 March 2014

The early payment of any benefits in such circumstances will not be permitted if it would incur a cost to the Parish Council.

iii) **Whether to waive, in whole or in part, any actuarial reductions which would otherwise be applied to the benefits taken on flexible retirement before Normal Pension Age**

Switching on the 85 year rule [paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014]

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

Active members are now able to voluntarily retire between ages 55 and 60. If they were a member of the LGPS on 30 September 2006 then some of their benefits could be protected from reductions applied to early payment under the 85-year rule. This rule only applies automatically to members voluntarily retiring from age 60 but the employer has the discretion to “switch it on” for voluntary retirements between age 55 and 60.

This discretion does not apply to flexible retirement (see [Regulation 30\(6\)](#)) whereby the 85 year rule is always switched on.

Where the employer does not choose to “switch on” the rule, then benefits built up would be subject to reduction in accordance with actuarial guidance issued by the Secretary of State regardless of whether a member meets the rule or not

If the employer does agree to “switch on” the 85-year rule, the employer will have to meet the cost of any strain on fund resulting from the payment of benefits before age 60 i.e. where the member has already met the 85-year rule or will meet it before age 60.

Employer Policy Decision

The parish Council will consider a request to switch on the 85-year rule in exceptional circumstances.

Waiving of actuarial reductions - Regulation 30(8), TP3(1), TPSch 2, para 2(1), B30(5) and B30A(5)

Whether to waive, in whole or in part, any actuarial reductions on benefits which a member voluntarily draws before normal pension age (other than on the grounds of flexible retirement).

Employers can agree to waive any actuarial reductions due in the case of employees retiring any time after age 55.

Employers should also note that the strain cost of any such retirements would need to be met by the employer and paid into the Pension Fund at the appropriate time.

There are 4 member groups which you would be making the discretions policy on, the below covers in what circumstance reductions can be waived and to which benefits these would apply:

Members joined before 1 October 2006 and who reached 60 before 1 April 2016 – Group 1

- To waive on compassionate grounds, any actuarial reductions applied to benefits built up before 1 April 2016
- To waive on any grounds, actuarial reductions applied to benefits built up after 1 April 2016

Members joined before 1 October 2006 and who reach age 60 between 1 April 2016 and 31 March 2020 and also meet their critical retirement age before 1 April 2020 (date member meets the 85 year rule)– Group 2

- To waive on compassionate grounds, any actuarial reductions applied to benefits built up before 1 April 2020
- To waive on any grounds, actuarial reductions applied to benefits built up after 1 April 2020

Members joined before 1 October 2006 and who reach age 60 after 1 April 2016 but before 31 March 2020 and don't meet their critical retirement age before 1 April 2020 (date member meets the 85 year rule)– Group 3

- To waive on compassionate grounds, any actuarial reductions applied to benefits built up before 1 April 2014

- To waive on any grounds, actuarial reductions applied to benefits built up after 1 April 2014

Members joined after 1 October 2006 – Group 4

- To waive on compassionate grounds, any actuarial reductions applied to benefits built up before 1 April 2014
- To waive on any grounds, actuarial reductions applied to benefits built up after 1 April 2014

Employer Policy Decision

Whether to waive any actuarial reductions for a member voluntarily drawing benefits before normal pension age (other than on the grounds of flexible retirement), as outlined above?

Normally, the early drawing of a pension is subject to Actuarial reductions. The waiving of these reductions will only be considered by the council on compassionate grounds for pre 2014 preserved benefits and in exceptional circumstances post 2014 benefits. Each request will be dealt with on an individual basis.

The following discretions apply to members who left the scheme between 1 April 2008 and before 1 April 2014

Whether to “switch on” the 85-year rule for a member with deferred benefits voluntarily drawing benefits on or after age 55 and before age 60 – [paragraph 1(1)(c) & 1(2) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014]

Whether to “switch on” the 85-year rule for a member with deferred benefits voluntarily drawing benefits on or after age 55 and before age 60 or upon the voluntary early payment of a suspended tier 3 ill health pension?

A member with a deferred benefit who left the scheme voluntarily between 1 April 2008 – 31 March 2014 and who has subsequently become a deferred pensioner may now claim their benefits from age 55 without their employers consent. However, these benefits will be reduced for early payment.

Where a member has reached the 85-year rule at the point of retirement, an employer can consent to switching on the 85 year rule. Any ‘strain’ to the Fund will be payable immediately by the Scheme employer.

Employer Policy Decision

The parish Council will consider a request to switch on the 85-year rule in exceptional circumstances.

Whether to waive upon the voluntary early payment of deferred benefits or suspended tier 3 ill health pension, any actuarial reduction on compassionate grounds? [regulation 30(5) of the LGPS (Benefits, Membership and Contributions) Regulations 2007 and paragraph 2(1) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014]

Whether to waive reductions which may occur on deferred benefits claimed between ages 55-60 or suspended tier 3 ill health for leavers between 1 April 2008 and 31 March 2014.

A member with a deferred benefit who left the scheme voluntarily between 1 April 2008 – 31 March 2014 or was awarded a Tier 3 ill health pension under the 2007 Regulations and who has subsequently become a deferred pensioner may now claim their benefits from age 55 without their employers consent. However, these benefits will be reduced for early payment.

An employer can consent to waiving any reductions, on compassionate grounds, which may be applied to deferred benefits or suspended tier 3 ill health pension paid early.

Employer Policy Decision

Whether to waive, on compassionate grounds, any actuarial reduction applied to deferred benefits or suspended tier 3 ill health pension paid early.

The early payment of any benefits in such circumstances will not be permitted if it would incur a cost to the Parish Council.

The following discretions apply to members who left the scheme between 1 April 1998 and before 1 April 2008

Whether to 'switch on' the 85-year rule upon the voluntary early payment of deferred benefits [paragraph 1 (1) (f) & 1 (2) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) regulations 2014]

Whether, as the 85 year rule does not automatically fully apply to members who would otherwise be subject to it and who choose to voluntarily draw their deferred benefits (on

or after 14 May 2018) on or after age 55 and before age 60, to switch the 85 year rule back on in full for such members.

Deferred members who left the scheme after 1 April 1998 are now able to voluntarily retire between ages 55 and 60. If they were a member of the LGPS on 30 September 2006 then some of their benefits could be protected from reductions applied to early payment under the 85 year rule. This rule only applies automatically to members voluntarily retiring from age 60 but the ceding employer has the discretion to “switch it on” for voluntary retirements between age 55 and 60.

Where the employer does not choose to “switch on” the rule, then benefits built up would be subject to reduction in accordance with actuarial guidance issued by the Secretary of State regardless of whether a member meets the rule or not

If the employer does agree to “switch on” the 85-year rule, the employer will have to meet the cost of any strain on fund resulting from the payment of benefits before age 60 i.e. where the member has already met the 85-year rule or will meet it before age 60.

Employer Policy Decision

The parish Council will consider a request to switch on the 85 year rule in exceptional circumstances.

Whether to grant applications for the early payment of pension benefits on or after age 50 and before age 55 [regulation 31(2) of the LGPS Regulations 1997].

Whether to grant application for early payment of deferred benefits on or after age 50 and before age 55.

A member with a deferred benefit who left the scheme between 1 April 1998 – 31 March 2008 can claim their benefits from age 50 with their employers consent.

However, these benefits may be reduced for early payment and/or be subject to an unauthorised payment charge under the Finance Act 2004

Employer Policy Decision

The early payment of any benefits in such circumstances will not be permitted if it would incur a cost to the Parish Council.

Whether, on compassionate grounds, to waive any actuarial reduction that would normally be applied to benefits which are paid before age 65 [regulation 31(5) of the LGPS Regulations 1997 and paragraph 2(1) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014].

Whether to waive any actuarial reduction on compassionate grounds which would normally be applied to benefits which are paid before age 65.

Employers can agree to waive any actuarial reductions on compassionate grounds due in the case of employees who ceased active membership between 1 April 1998 and 31 March 2008.

Employers should note that the strain cost of any such retirements would need to be met by the employer and paid into the Pension Fund at the appropriate time.

Employer Policy Decision

The waiving of these reductions will only be considered by the council on compassionate grounds for pre 2014 preserved benefits and in exceptional circumstances post 2014 benefits. Each request will be dealt with on an individual basis.

The following discretions apply to members who ceased active membership before 1 April 1998

Whether to grant applications for the early payment of deferred pension benefits on or after age 50 and before NRD on compassionate grounds [regulation D11(2)(c) of the LGPS Regulations 1995].

Whether to grant early payment of a deferred benefit on compassionate grounds, on or after age 50 and before NRD.

An employer can grant application for early payment of deferred benefits on or after age 50 on compassionate grounds.

However, these benefits may be reduced for early payment and/or be subject to an unauthorised payment charge under the Finance Act 2004

Employer Policy Decision

The early payment of any benefits in such circumstances will not be permitted if it would incur a cost to the Parish Council.

- These policies may be subject to review from time to time. Any subsequent change in this Policy Statement will be notified to affected employees.
- Any changes to this policy will be notified to the Hampshire Pension Fund within 30 days of the change.

For the full list of discretions policies go to <http://lgpslibrary.org/assets/gas/ew/DISCLv1.6c.pdf>

Signed on behalf of:

Completed by:

Position:

Signature:

Date:

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PART B - Optional Discretions

(The two detailed are the most frequently used Regulations, but remain optional – see [LGA Discretions](#) for the full list of optional employer discretions)

Membership Aggregation Regulation 22 (7)(b),(8)(b)

Whether to extend the 12-month option period for a member to elect to join deferred benefits to their current employment/membership

The election to keep separate pension benefits must be made within 12 months of becoming an active member, who must be active at the date of election.

An employer may allow a period longer than 12 months

Employer Policy Decision

Transfers of Pension Rights Regulation 100(6)

Extend normal time limit for acceptance of a transfer value beyond 12 months from joining the LGPS

Where an active member requests to transfer previous pension rights into the LGPS, the member must make a request within in 12 months of becoming an active member.

An employer may allow a longer period than 12 months

Employer Policy Decision

Signed on behalf of:

Completed by:

Position:

Signature:

Date:

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