

Fen Ditton Parish Council

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Tel: 07442768348

All members of the Council are summoned to attend the Monthly Meeting of Fen Ditton Parish Council on Tuesday, 02nd September 2025 at 7.30 p.m. **The Pavilion** for the purposes of considering and resolving the business to be transacted at the meeting as set out in the agenda below.

Members of the public are invited to address the meeting between 7.30 p.m. and 7.45 p.m.

Pre-Meeting in Churchyard at 7.00pm

Indira Hui Raha

Indira Hui Raha

Clerk & RFO

1st Floor, The Hanger Building,

2 Jubilee Sq, Cambridge CB5 8UW

A G E N D A

LGA 1972 s12 10(2)(b) states that business must be specified on the agenda; therefore the Council cannot lawfully agree any matter that is not on the agenda. * indicates an agenda item for reporting only

2025/157	To receive apologies																																				
2025/158	Open forum members of public																																				
2025/159	To approve the Minutes of the meeting held on 05 th August 2025.																																				
2025/160	To receive declarations from Councillors as to the disclosable pecuniary and non-pecuniary interests in relation to any items on the agenda																																				
2025/161	To receive reports from and questions to: 1. County Councillor/s 2. District Councillors																																				
2025/162	Clerk's report and matters arising from the Minutes. Bank Reconciliation Q1 FY 25-26 New Play Equipment Cambridge waste water treatment plant relocation. Co-option of New Parish Councillor from Marleigh Ward Mr. Lukasz Lakomy. We have received a £980.20 refund from the District Council on overcharges for General Bin collection. This overcharging goes back 5 years, where we were charged for the wrong type of bins. The council would like to thanks Cllr Carla Farrar for spotting the historic errors. Some of the refund has been used to pay the current years bin collection services. FY20-25 £980.20. Grant application for Cambridgeshire Digital Hubs.																																				
2025/163	<table><tr><td colspan="2">To approve payments made during the month and accounts for payment and note payments made:</td></tr><tr><td>NEST</td><td>Pension-DD</td></tr><tr><td>Clerk Salary</td><td></td></tr><tr><td>HMRC-Payee</td><td></td></tr><tr><td>SCRIBE</td><td>Parish</td></tr><tr><td>SCRIBE</td><td>TRUST</td></tr><tr><td>R H landscapes</td><td></td></tr><tr><td>Hayden Woodruff</td><td></td></tr><tr><td>SLCC</td><td>Membership-Monthly</td></tr><tr><td></td><td>Sep 25</td></tr><tr><td>Equal's Money account Transfer</td><td>Monthly transfer</td></tr><tr><td>Camb Clean Serv</td><td>Office Cleaning</td></tr><tr><td>SCDC Bin collection – Adjusted from the Credit Note</td><td>FY 25-26</td></tr><tr><td>Cloud Next Limited</td><td>Annual</td></tr><tr><td>Simone Pereira da Silva</td><td>Pav Cleaning- 27/08</td></tr><tr><td>BlueChip Printing</td><td>250 Letter heads</td></tr><tr><td></td><td>printing</td></tr><tr><td>Indira Hui Raha – Reimbursements £8.75 + £2.58</td><td>Post & Consumables</td></tr></table>	To approve payments made during the month and accounts for payment and note payments made:		NEST	Pension-DD	Clerk Salary		HMRC-Payee		SCRIBE	Parish	SCRIBE	TRUST	R H landscapes		Hayden Woodruff		SLCC	Membership-Monthly		Sep 25	Equal's Money account Transfer	Monthly transfer	Camb Clean Serv	Office Cleaning	SCDC Bin collection – Adjusted from the Credit Note	FY 25-26	Cloud Next Limited	Annual	Simone Pereira da Silva	Pav Cleaning- 27/08	BlueChip Printing	250 Letter heads		printing	Indira Hui Raha – Reimbursements £8.75 + £2.58	Post & Consumables
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2025/164	To approve payments made during the month from Equal's money pre-loaded card:-																																				

	IONOS Cloud Ltd	07-Aug	£4.80
	Amazon	Fan - 11-Aug	£84.99
	Co-op Group	Cleaning Items 13-Aug	£9.90
	Co-op	Milk 14-Aug	£0.95
	ASDA	Phone 158-Aug	£4.00
	Viking	Shredder 19-Aug	£97.42
	Amazon	CCTV upgrade 19-Aug	£135.73
	Amazon	CCTV upgrade 19-Aug	£8.19
	Amazon	CCTV upgrade 19-Aug	£14.00
	Amazon	CCTV upgrade 19-Aug	£45.86
	Amazon	CCTV upgrade 19-Aug	£77.90
2025/165	To note money received – VAT Reclaim Q1 FY 25-26 received in Unity £2428.35 SCDC Bin collection refund £390.78 Ivett & Reed – Fee Headstone- £77.00		
2025/166	To consider following planning applications and tree works applications 25/03136/S73 Land North Of S73 to vary conditions 6 (Landscape maintenance and management plan), 14 (LAP delivery strategy), 16 (Bee friendly lawn mixes) and 17 (External lighting) of reserved matters application 21/02450/REM (Reserved matters application detailing, appearance, landscaping, layout and scale for the construction of 421 new homes with associated infrastructure, internal roads and open space as part of Phase 2 pursuant to condition 5 (reserved matters) of outline planning permission S/2682/13/OL). https://applications.greatercambridgeplanning.org/online-applications/PLAN/25/03136/S73 25/0835/TTCA 10 High Street Two large ash trees stand at around 22m, reduce by 4m to 18m to allow clearance from buildings. Fen Ditton Cambridgeshire CB5 8ST https://applications.greatercambridgeplanning.org/online-applications/PLAN/25/0835/TTCA 25/0847/TTPO Browns Field, T2 - Willow x16ms in height: reduce by 12ms to leave at approximately 4ms high T3 - Willow x12ms in height: reduce by 8ms to leave at 4ms high *WORKS TO BOTH TREES to reduce canopy cover to mooring to improve light and prevent slip hazards due to excessive shading and limb breakages over boats Resolute Narrow Boat Green End Fen Ditton Cambridgeshire CB5 8SX https://applications.greatercambridgeplanning.org/online-applications/PLAN/25/0847/TTPO		
2025/167	Proposal to approve a Grant application for Defibrillator in Marleigh from MRA (Residents Association). See separate Grant App form. Total grant application for £2370.00		
2025/168	Parish Councillors Committee report(s), (For Information Only) Newsletter/Website Cemetery Crime & Welfare Highways & Transport Strategic Planning Chairman Report		
2025/169	Proposal to review Standing Order and amend section SO25.		
2025/170	Proposal to incorporate Safeguarding & Equal opportunity policy.		
2025/171	To accept notices and matters for the next agenda It should be noted that no decisions can lawfully be made under this item. LGA 1972 s12 10(2)(b) states that business must be specified, therefore the Council cannot lawfully agree any matter that is not on the		

	agenda.
2025/172	To resolve to carry out agenda items in closed session in accordance with Section 1 of the Public Bodies (Admission to Meetings) Act 1960, because publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted. To Discuss HR.

The next meeting of the Council will be held on 07th October 2025.

Appendix

Memorial Stones on the Closed Churchyard Wall

Request by the PCC for burial of cremated remains adjacent to the churchyard wall;

History - The FDPC accepted responsibility for maintenance of St Mary the Virgin Fen Ditton, Closed Churchyard in 2016 following a formal request from the PCC. There was some discussion and legal advice given that the wall should be handed over in good condition, however as the PCC was unable to undertake this work, the wall was taken on as seen despite it's very poor condition.

The PC has already undertaken some major repairs to the wall; however, in the long term, maintaining this wall is by far the council's biggest financial burden. Although it is important to note that the timing of repairs is down to the PC unless it becomes structurally unsound.

There are numerous letters between the PCC and the PC from 2016, however, a Memorandum of Understanding was never finalised due to changes in personnel. An MOU is not legally binding and is subordinate to the laws outlined below.

Responsibility for the wall mixes two areas of law:

1. **Who maintains a closed churchyard** (civil law – Local Government Act 1972, s.215), and
2. **Who controls memorials and churchyard fabric** (ecclesiastical law – the faculty jurisdiction).

Proposal

In response for a request for more memorial stones on the Churchyard wall;

Due to the cost to the local taxpayer, the council requests that no further memorial stones be placed on any wall for which we are responsible for maintenance costs, acknowledging our wishes have no legal status.

We raise no objections to new interments, provided they do not affect the wall.

Legal Guidance

Here's the general position in England and Wales:

- A **churchyard** may be "closed" for burials by an **Order in Council** under the **Burial Act 1853** (and later Acts). This doesn't mean it is closed to visitors, but that **no further interments may take place**, except for specific exceptions written into the Order.
- Once a churchyard is closed, the **duty of maintenance** (mowing, walls, paths, trees, etc.) remains with the **parochial church council (PCC)** in the first instance. However, the PCC may formally pass this responsibility to the **local authority** under section 215 of the **Local Government Act 1972**.
- Importantly: **transferring maintenance responsibility does not reopen the churchyard for burials**. If the churchyard is legally "closed" by Order, then no new interments can normally take place.

- The **only burials still permitted** in a closed churchyard are those specifically allowed under the wording of the closure order (often interment in existing family graves or burial of ashes in certain cases). These rights aren't created by the PCC or the local authority — they come from the law and the terms of the closure.
- Summary: If the churchyard has been **legally closed**, the church does **not** have the right to continue general interments, regardless of who maintains it.
- The **church can still conduct interments that are legally permitted under the closure order** (e.g. in existing family graves).
- Handing over maintenance responsibility to the local authority **does not affect burial rights** — it only shifts who cuts the grass and maintains the walls.

Memorials on Walls

- Memorials (headstones, plaques, tablets) in a churchyard fall under **faculty jurisdiction** – i.e. the authority of the Chancellor of the Diocese, not the local authority.
- Even in a closed churchyard, the **PCC and diocese control what memorials may be introduced, altered, or removed**.
- That means the church (through the PCC) still has the right to regulate whether new memorial stones can be affixed to a wall — but only **with a faculty (formal diocesan permission)**.
- The local authority, even though it maintains the wall, has **no power to authorise memorials**.

Practical Point

- If the wall is structurally unsound, the local authority (as maintainer) has to repair it, but it cannot decide what is fixed to it.
- The PCC/diocese must approve any memorial, and they can refuse if it would damage the wall, create safety risks, or go against diocesan policy on memorials.

Who pays for removal if the wall needs repairs?

- **The local authority:**
 - If the churchyard is *closed* and the PCC has transferred maintenance duties under s.215 Local Government Act 1972, then the **local authority is responsible for maintaining walls, paths, trees, etc.**
 - If they need to repair the wall, they must arrange (and normally pay for) safe removal and re-fixing of any memorials attached.
- **The family / memorial owner:**
 - If a memorial itself is unsafe, broken, or needs replacing, that's the family's responsibility.
 - If the authority removes the plaque *solely because the wall needs repairing*, it is not normally the family's cost.

FDPC/FDRGT Proposed Update to PC Standing orders

1. Segregated accounts and reporting as per Charity's Act 2011 (extract below)
2. Any reserves must be accounted for separately from parish council reserves.
3. Charity's accounts should form an annex to the parish council's accounts.

4. If the parish council uses money from the precept (or from other income or reserves held as a local authority) in order to help meet expenditure by the charity, this should be shown in both the parish council and charity's accounts as a grant to the charity.
5. The charity's accounts do not need to be audited as part of the council's accounts.
6. There is no need for the parish council to insure charity property under a separate policy, so long as the parish council's insurance policy provides suitable and adequate cover. The parish council has an insurable interest in the property. The premium, or a proportion of the parish council's premium, can be charged to the charity's account.
7. Meetings of the parish council as charity trustee should take place separately from those when it is acting as a local authority and separate minutes must be kept.
8. Expenditure from charity funds must be approved at a charity meeting.
9. Separate notices and agendas for the meetings should be issued.
10. The parish council may appoint a parish council committee to manage the day to day affairs of the recreation ground and pavilion, reporting to the parish council..
11. The chair of the parish council should also be the trustee chair.
12. The services of the parish council clerk and other employees may be used by the Trust
13. Correspondence relating to the charity should be separate from other parish council correspondence whenever possible.
14. No requirement for councillors to make a separate declaration for the office of charity trustee.

Charity's Act 2011 Section 130

Accounting records

- (1) The charity trustees of a charity must ensure that accounting records are kept in respect of the charity which are sufficient to show and explain all the charity's transactions, and which are such as to— (a) disclose at any time, with reasonable accuracy, the financial position of the charity at that time, and
- (b) enable the trustees to ensure that, where any statements of accounts are prepared by them under section 132(1), those statements of accounts comply with the requirements of regulations under section 132(1).
- (2) The accounting records must in particular contain—
- (a) entries showing from day to day all sums of money received and expended by the charity, and the matters in respect of which the receipt and expenditure takes place, and
- (b) a record of the assets and liabilities of the charity.

Fen Ditton Parish Council

Proposed Amendments to SO25 – September 2025

General Rule

- **Individual councillors have no decision-making powers** unless these have been *formally delegated* by the parish council (under the Local Government Act 1972, s.101).
- **The parish council as a corporate body** makes decisions, usually through meetings.
- A councillor's authority as an individual is therefore **limited to representation, advocacy, and preliminary work** — not binding decisions.
-  **Things a Parish Councillor Can Do (Without Delegated Powers)**
- **Represent** the views and interests of residents (to the council, higher authorities, or partner bodies).

- **Raise issues** by putting items on the agenda for parish council meetings.
- **Participate in discussions and votes** at council meetings.
- **Research, prepare, and advise** on matters to inform council decisions.
- **Engage with the community** (attending events, listening to concerns, passing information to the council).
- **Act as a liaison** between the public and the parish council (e.g., reporting potholes, safety issues, or service faults to the relevant authority).
- **Promote council activities** in a personal capacity (within the boundaries of the council's code of conduct).
- **Work on working groups/committees** (but still can't make binding decisions unless powers have been delegated).

Things a Parish Councillor *Cannot* Do (Without Delegated Powers)

- **Make binding decisions** on behalf of the council (e.g., spending money, awarding contracts, authorising work).
- **Instruct staff or contractors** — only the **Clerk** (the Proper Officer) manages staff and carries out council decisions.
- **Act as spokesperson** claiming to represent the “official view” of the council unless authorised.
- **Commit the council legally or financially** in any way.

Key Principle

A useful way to remember it:

Councillors contribute, discuss, and vote — but the council decides. Unless a parish council has **formally delegated authority** to a councillor, they act only as part of the collective body, not individually.

Can a councillor ask a contractor to stop work if the outcome may cause damage ?

That's a really practical scenario — and one that highlights the *grey area* between a councillor's lack of formal powers as an individual, and their **duty of care** towards council property.

The Legal/Procedural Position

- **Only the parish council as a body** (or the Clerk acting under delegated authority) can issue instructions to contractors, staff, or the public.
- **An individual councillor has no executive authority** to stop work or give orders.
- If a councillor *does* instruct someone to stop, it carries **no legal weight** — unless the council had formally delegated that responsibility to them.

The “Duty of Care” Angle

That said, parish councillors **do have a fiduciary duty** to act in the best interests of the council, and to **protect council assets**.

So, in practice: If work is **clearly causing immediate damage** (say, a contractor digging up a protected verge, or damaging council equipment), a councillor may intervene as a **concerned bystander** — not in an official capacity.

- The councillor should **immediately report** the issue to:

- The **Clerk** (as Proper Officer, who can act), and
- The **Chair of the council** (if urgent escalation is needed).

Best Practice Steps for a Councillor

If you're on site and see damage happening:

1. **Identify yourself clearly:** "I'm a parish councillor, but I don't have authority to give instructions."
2. **Raise the concern politely:** "I'm worried this may be damaging parish council property."
3. **Ask the contractor to pause briefly** while you contact the Clerk/chair (but don't give formal orders).
4. **Document** the incident — photos, times, names.
5. **Report immediately** to the Clerk (who can act as Proper Officer).

This way, you're **fulfilling your duty of care** without overstepping your legal authority.

Risk if You Overstep

- If you **stop work without authority**, you could expose yourself (personally) and the council to **claims of interference, breach of contract, or liability** if the stop causes financial loss.
- That's why it's safer to **act as an observer and reporter**, and let the Clerk (or delegated officer) issue instructions.

Summary:

A councillor **cannot formally stop work** (no delegated power), but in an *urgent* situation they may step in informally to prevent obvious damage — provided they escalate immediately to the Clerk/chair. The safest role is **raise the alarm, gather evidence, and trigger the proper chain of authority**.

Fen Ditton Parish Council

Safeguarding and Equal Opportunities Policy

1. Introduction

Fen Ditton Parish Council is committed to creating a safe, inclusive, and supportive environment for all members of the community, council staff, volunteers, and councillors. This policy sets out the Council's approach to safeguarding vulnerable individuals and promoting equal opportunities, in line with relevant legislation and best practice.

2. Purpose

The purpose of this policy is to:

- Protect children, young people, and vulnerable adults who interact with or are affected by Council activities.
- Promote equality of opportunity and prevent discrimination in all aspects of council work.
- Ensure all councillors, staff, and volunteers understand their responsibilities regarding safeguarding and equality.

3. Scope

This policy applies to:

- Councillors, employees, and volunteers of the Parish Council.
- Contractors and service providers engaged by the Council.
- All Council-led activities, events, and facilities.

4. Safeguarding Policy

4.1 Definition

Safeguarding means protecting individuals' health, wellbeing, and human rights, ensuring they live free from harm, abuse, and neglect.

4.2 Commitment

The Parish Council will:

- Recognise its responsibility to safeguard children, young people, and vulnerable adults.
- Promote awareness of safeguarding among staff, volunteers, and councillors.
- Respond promptly to any safeguarding concerns, following local safeguarding procedures.
- Ensure that staff and volunteers have access to training and guidance on safeguarding.

4.3 Reporting Concerns

Anyone who has a safeguarding concern should report it immediately to the designated Safeguarding Officer:

Safeguarding Officer: Nick Moir

Contact Details:

In emergencies, contact local authorities or the police immediately.

5. Equal Opportunities Policy

5.1 Statement of Intent

The Parish Council is committed to:

- Treating all people fairly and with respect, regardless of age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex, or sexual orientation.
- Encouraging participation from all community members.
- Creating an environment free from discrimination, harassment, and victimisation.

5.2 Implementation

To achieve this, the Council will:

- Ensure all policies, procedures, and decisions consider equality and diversity.
- Provide training and support to councillors, staff, and volunteers on equality issues.
- Monitor and review practices to identify and remove barriers to participation.
- Take appropriate action if discrimination or harassment occurs.

6. Responsibilities

- **Councillors:** Ensure decision-making aligns with safeguarding and equal opportunities principles.
- **Clerk / Officers:** Implement policies, maintain records, and provide guidance on safeguarding and equality.
- **Volunteers / Contractors:** Follow the Council's safeguarding and equality procedures.

7. Confidentiality

All safeguarding concerns and equality-related complaints will be treated confidentially, sharing information only with those who need to know to protect individuals or resolve issues.

8. Review

This policy will be reviewed annually or as required in response to legislative changes, new guidance, or operational changes.

Adopted by Fen Ditton Parish Council: [Date]

Next Review Date: [Date]