

Bicester Town Council



Policy Committee Meeting

Ref: POL02/2425

Monday 16th September 2024 at 19:00
Council Chamber, Garth House, Launton Road,
OX26 6PS

Members:

Cllr Paul Wheatley – **Chair**, Cllr Rachel Mallows, Cllr Alisa Russell,
Cllr Nick Cotter, Cllr Jim Webb, Cllr Harry Knight, Cllr Sam Holland,
Cllr Nick Mawer and Cllr Tom Beckett

Other Circulation, Substitute Members:

Cllr Chris Pruden, Cllr John Willett, Cllr Les Sibley, Cllr Dan Hallett,
Cllr Donna Ford and Cllr Damien Maguire.

Other Circulation:

Cllr John Broad (CDC), Cllr Frank Ideh (CDC), Cllr Simon Lytton (CDC), Cllr
Calum Miller (OCC), Cllr Rob Parkinson (CDC) and Cllr Michael Waine (OCC)



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Friday 6th September 2024

To all members of the Policy Committee,

You are hereby summoned to attend a meeting of the **Policy Committee at the Council Chamber, Garth House, Launton Road, OX26 6PS on Monday 16th September 2024** at commence at **19:00hrs** for the transaction of the following business.

Paul Canning
Deputy Town Clerk

Agenda

All Council Meetings are open to the public and press, unless otherwise stated.

1. Apologies for Absence

To consider apologies and reasons for absence. Committee members who are unable to attend the meeting should notify the Town Clerk (phil.evans@bicester.gov.uk) prior to the meeting, stating the reason for absence.

2. Declarations of Interest

Councillors are reminded to declare any interests on any item on this Agenda in accordance with Bicester Town Council's Code of Conduct.

3. Minutes of the Previous Meeting

The Committee is asked to **APPROVE** the minutes of the Policy Committee meeting held on:

- **POL06/2324 – Monday 22nd April 2024 at 19:00hrs**
 - **POL01/2425 – Tuesday 18th June 2024 at 19:00hrs**
- (Pages 4 – 11)

4. Public Session

In accordance with Standing Orders 1 d-f, members of the public may make representations, ask questions and give evidence in respect of any item of business included in the agenda.

Time allocated shall not exceed 10 minutes. No member shall speak for more than 2 minutes.

5. Policies for Review

The Committee is asked to **REVIEW** and **APPROVE** the changes for GP11 – Complaints Policy & GP24 – Tree Management Policy.

(Pages
12 – 30)

6. Motion – Emergency Climate Resolution

Cllr Tom Beckett is to present the motion. Councillors are asked to **NOTE** and **COMMENT** on the report. (Pages 31 - 32)

7. Forward Plan

The Committee is **RECOMMENDED** to **NOTE** the Forward Plan.

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8 Date of Next Meeting

Tuesday 8th October 2024 at 19:00hrs.

Minutes of the Policy Committee

A meeting of the **Policy Committee** was held on **Monday 22nd April 2024** at **19:00 hrs** at **The Chamber Room, Bicester Town Council, The Garth, Launton Road, Bicester, Oxon OX26 6PS.**

Present:

Cllr Rachel Mallows (Chair)
Cllr Paul Wheatley (Vice-Chair)
Cllr Tom Beckett
Cllr Nick Cotter
Cllr Dan Hallett
Cllr Sam Holland
Cllr Nicholas Mawer

In Attendance:

Jodi Clarke, Finance Assistant
Phil Evans, Town Clerk
Matthew Barber, Police Crime Commissioner
Cllr Calum Miller, Oxfordshire County Councillor

62/23 Apologies for Absence

24 RESOLVED that apologies were received from:

- Cllr Harry Knight
- Cllr Alisa Russell
- Cllr Les Sibley

63/23 Declarations of Interest

24 RESOLVED that no declarations were received.

64/23 Matthew Barber - Police & Crime Commissioner

24 19:04 Cllr Calum Miller arrived.

Police Commissioner Matthew Barber attended the meeting to allow councillors the chance to ask questions and talk about issues they may have within Bicester.

Matthew Barber informed the councillors that they are working on an app called Disc App that can be used by retail shops to make reporting crimes easier. This app is capable of holding CCTV footage that can be shared with other retail shops.

The Police Commissioner touched base on having a control room for the county rather than having several different networks, TVP can then link all cameras to the one hub, they are working on transparency for everyone. Currently this isn't live but may be later in the calendar year.

Cllr Cotter raised that normally people are doing these types of crimes due to underlying issues, what are TVP doing to assist with this?

The Police Commissioner explained that there is a big issue with confidence and people reporting crimes, they understand that the public see if TVP can't deal with shoplifting then how will they deal with bigger crimes. TVP are working on prevention, they recognise what treatments can be ordered by the courts, they want to work with CPS to make drug treatment apart of sentencing.

Cllr Cotter then raised that the biggest crime seen is economic crime, what can you do about the economic crime?

The Police Commissioner explained that there needs to be a wider education on preventing Cyber Crime & Fraud.

Cllr Holland asked the Police Commissioner how are TVP bringing technology forward?

The Police Commissioner explained that currently I can take a lengthy amount of time to download the footage from body cams, meaning that officers are having to spend time in the station waiting for this to be completed before they can continue with the work. The body cams are going through an upgrade to make this time shorter.

He then explained that when it comes to presenting footage some organisations have to go to the station to collect the footage whereas Cherwell District Council are sent a link that they can access from the offices, having the central hub would make this easier for all parties involved.

Cllr Mallows asked The Police Commissioner, what can we do to help?

The Police Commissioner explained that the following:

- The Council & Organisations to become the eyes and feed back to TVP.
- Report the issues raised by residents to PC in our local area.
- TVP want to bridge the gap between the police & the public.

Cllr Mallows also raised a concern a resident had that has been reporting a drug dealer dealing for over 4 years and still nothing had been done, can this be looked into?

The Police Commissioner explained that if they cannot deal with it but if the detail were emailed over then they would look into who the case is sat with. They also explained that no action may be due to lack of evidence, they could be watching waiting to get some evidence before approaching.

Recruitment for TVP was raised, The Police Commissioner explained that the last big recruitment period was 30 years ago. TVP have a small gain on retention of officers, they are doing all they can to keep officers happy, Officers that were due to retire during Covid stayed on longer then expected, those officer may now be retiring which makes the numbers look bigger.

The Town Clerk asked the Police Commissioner asked what spec/ model camera Bicester Town Council would need to be able to use the central hub at a later date. The Police Commissioner asked the Town Clerk to forward them the details so they can put the Town Clerk in touch with who they use.

Cllr Hallett asked about Drug & Alcohol testing, how can you shorten the testing time?

The Police Commissioner explained that these are time limited offences, they have a new system on mobile phones that mean less paperwork. In house drug testing meaning shortening the time for front line policing.

Cllr Hallett also asked about the following topics:

1. Cycle theft in Town
2. Electric Scooters

The Police Commissioner informed the councillors that bike theft in Cherwell was coming down. CCTV & lighting will help to prevent these types of crimes, increase the visibility.

The Police Commissioner explained that for an officer to seize a E-scooter they must be performing a crime before they can intervene. Normally a warning is given and if another officer then sees the person in question the E-scooter can then be seized as a warning has already been issued. The Police Commissioner also touched base on the fact that E-scooter may become legal in the future but bikes are equally as dangerous as scooters, E-Scooters are not a problem it is the behaviour of the rider.

Cllr Beckett raised that we need community engagement.

The Police Commissioner explained that they are looking into ways engage with the community the same way they try to engage with the police i.e. Facebook, WhatsApp instead of calling for non-blue light emergency's.

Cllr Miller asked about the wages and the impacts. The Police Commissioner explained that PCSO & PC are paid the same but the PCSO wages can change whereas the PC do not. They explained that this is the same struggle most public sectors come across.

The Councillors thanked The Police Commissioner for their time.

19:59 – Matthew Barber left the meeting.

20:00 – Cllr Miller left the meeting.

65/23 Public Session

24 RESOLVED that there was Representation offered.

66/23 Minutes of Policy Committee

24 RESOLVE that the Committee **APPROVED** the following minutes with a few amendments:

- **POL05/2324** – 19th February 2024 at 19:00hrs
To add “Bicester Garrison HQ will be in situ for at least the next 10 years.” To section **56/2324** of the above minutes.

67/23 Policy Review

24 RESOLVED that the following policies were **APPROVED** with the following amendments:

- i. GP3 – Fraud & Corruption Policy:
Section 5 – Replace “HM Customs and Excise Inland Revenue” to “HMRC”
Section 9 – Change Chairman to Chair.
Section 11 – PCAW has become Protect Advice with a new website:
<https://protect-advice.org.uk>, Phone number also needs updating.

Section 13 – Typo on the last line, (extra line return after “The”)

ii. GP22 – Flag Flying Policy

Section 3 – Should read, 'They are numbered one to four, the first being the pole nearest the bandstand.'

Section 7 – Expansion of detail: 'The flags of Wales, Northern Ireland and Scotland shall be flown on their respective Saint's days from flagpole 4. Those dates are;

- 1st March - Wales, Saint David's Day
- 17th March - Northern Ireland, Saint Patrick's Day
- 30th November - Scotland, Saint Andrew's Day

Section 15 – Change Chairman to Chair.

68/23 Exclusion of Press and Public

24 **RESOLVED** that the Exclusion of Press & public was adhered to.

69/23 Standing Report - Lease's

24 Cllr Mawer proposed the rent be decreased from £7,800 to £5,800 and the Grant Aid be deducted to £1,000 as per the Grant Aid Policy. Seconded by Cllr Cotter and the Committee **AGREED**.

Cllr Mawer asked about the lease for Whitelands, the Town Clerk informed them that the lease is still with CDC but has a meeting with them next week.

70/23 Forward Plan

24 Cllr Beckett requested that the cemetery be placed onto the forward plan.

Date of next Meeting: Date Not Specified at Time Not Specified.

CLOSE OF MEETING: 21:07 hrs

Minutes of the Policy Committee

A meeting of the **Policy Committee** was held on **Tuesday 18th June 2024** at **19:00hrs** at **The Chamber Room, Bicester Town Council, The Garth, Launton Road, Bicester Oxon, OX26 6PS.**

Present:

Cllr Paul Wheatley (Chair)
Cllr Tom Beckett
Cllr Sam Holland
Cllr Harry Knight
Cllr Nick Mawer
Cllr Alisa Russell
Cllr Les Sibley (Substitute)

In Attendance:

Phil Evans, Town Clerk
Jodi Clarke, Finance Assistant
John Burnett, Service Manager
Trevor Morley, Setfords

1/2425 Apologies for Absence

RESOLVED that apologies were received from the following Committee Members:

- Cllr Rachel Mallows
- Cllr Nick Cotter
- Cllr Jim Webb – Cllr Les Sibley has been sent as a substitute

2/2425 Declaration of Interest

RESOLVED that no declarations were received.

Cllr Wheatley **REQUESTED** that the following items to be added to the next agenda:

- Minutes from **POL06/2425** meeting held on 22nd April 2024 at 19:00hrs
- Appointment of Vice-Chair
- Forward Plan

3/2425 Public Session

RESOLVED that no public were present.

4/2425 Tender Presentation

The Town Clerk explained the process that will take place during the Tendering Process and gave them the following information about each tender:

- New tenders do not have tree works included in the contract, but both have assured the Town Clerk that they can do the work at an additional cost.

Trevor Morely from Setfords has been asked to attend the meeting in case any legal advice is needed.

19:11 Cllr Beckett left the meeting.

RESOLVED that a presentation was given by Tender 1.

Councillors asked the Tender the following questions:

Q: Can council staff have access to the same system that yourselves use?

A: Yes, full access. Councillors can also raise task and get updates.

Q: Do you pay a living wage or a minimum wage?

A: We pay a living wage to our employees.

Q: If grass is cut when its wet and it's bent rather than cut do we raise this with you?

A: Yes and no, you can raise it to us in the app as an insufficient cut.

Q: Can we see every tree, shrub, grass area etc. through the map?

A: GSI layout all features in the contract.

An example of the map was presented to the Councillors.

Q: The Nature Reserve in Bure Park, if we wanted to extend to include this is it an extension of the contract?

A: Yes, it would be.

Q: What are the financial costs for the 2024 contract as we have only been presented 2024?

A: Many apologies I can confirm the amount in the 2023 header is correct, we haven't changed the header.

Q: Staff shortages, what is your plan?

A: We have resource teams that can move areas. Long term sick would be replaced & other staff would do overtime to fulfil the needs of the contract.

Q: Do they have Welfare Facilities?

A: They use public toilets, areas that they know they are accepted in and can use if needed.

Q: Do you have anything in place for Lone Working?

A: We have a policy on lone working, this contract has no lone workers lined up. All staff have spy guards which they can press if help is needed, they all have mobile phones.

The Councillors thanked the Tender for their time.

19:57 - Tender 1 left the meeting.

19:59 - Trevor Morley and Cllr Knight left the Meeting

20:00 - Cllr Russell left the meeting.

20:01 - Cllr Russell, Cllr Knight & Trevor Morley returned to the meeting.

RESOLVED that a presentation was given by Tender 2.

Councillors asked the Tender the following questions:

Q: How many staff members?

A: 18 staff members in reading.

Q: The unit in Heyford, is this part of the contingency plan for this contract?

A: Yes, we have reserved the space for if we get the contract.

Q: Would the Town Clerk be able to contact you if needed?

A: Yes, if the operation Manager is not fulfilling their duties, then both Henry and I are contactable at any time.

Q: Staff Shortages, what is your plan?

A: Bicester Team will be based in Bicester only. We have mobile teams to come in if it is needed but also the managers will assist if needed.

Q: Do you have provisions for breaks etc?

A: The staff know they are to take breaks every 2 hours; we push the team to take breaks little and often due to the machinery they work with.

Q: Do you have anything in place for Lone Working?

A: We have a policy in place for lone working, but we tend to send workers out in pairs rather than by themselves.

Q: Do you pay the living wage or Minimum wage?

A: Minimum Wage.

Q: How did you get guys into what you do?

A: Started as a ground's operative on a ground's maintenance contract but due to the unpleasant work setting, we both decided to leave and was mowing one ladies garden for £25 from there it has grown.

Q: Do staff fluctuate seasonally?

A: No, they are full time staff that are paid 40hrs per week but will work 45hrs in the summer & 30hrs in the winter.

Q: Do you offer apprenticeships?

A: We do but it is hit & miss. Some customers don't like the risk, if you were happy for this to be apart of the contract then it's something we can look at.

Councillors thanked the second tender for their time.

20:36 Tender 2 left the meeting.

5/2425 Cemetery

RESOLVED that a verbal update was given.

The Town Clerk informed the committee that they had walked the cemetery with Peter Mitchell who was able to identify some space for Cremation plots to which the Service Manager is currently working on.

20:40 Cllr Sibley left the meeting.

The Town Clerk explained detailed timeframes.

The Town Clerk is trying all they can to ascertain land as quickly as possible whilst working with Cherwell District Council to reach the same goal.

20:42 Cllr Sibley Returned to the meeting.

The Committee discussed what the financial impact would be for every option.

20:53 Cllr Wheatley adjourned the meeting for a 5-minute break.

20:58 Cllr Wheatley resumed the meeting.

6/2425 Exclusion of Press and Public

RESOLVED That in accordance with section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, the public and press be excluded from the meeting during the consideration of the items set out below on the grounds that publicity would be prejudicial to the general interest by reason of the confidential nature of the business to be transacted.

7/2425 Tender Selection

RESOLVED that councillors discussed the presentation under item 4.

8/2425 Lease Alteration request

RESOLVED that the council **AGREED** the following:

- The Council would not approve the signage on the entrance to Garth Park.
- The tenants must seek planning permission to any alternate signage plan that you wish to produce.
- Once planning permission has been granted (or you have a letter saying permission is not needed) the Council will agree to the new signage.

9/2425 Date of Next Meeting

Monday 16th September 2024 at 19:00hrs

**BICESTER TOWN COUNCIL
POLICY COMMITTEE
Monday 16th September 2024
Policy Review**

Chair: Councillor Paul Wheatley

Telephone: 01869 252915 Paul.Wheatley@bicester.gov.uk

Paul Canning – Deputy Town Clerk

Telephone: 01869 252915 Paul.Canning@bicester.gov.uk

1. Background

1.1. All the Town Council's Policies' and Procedure's go through periodical review.

The Policy Committee requested that this item be considered standing item and that a report be submitted to each meeting, updating on any changes.

Please refer to **APPENDIX 1** for the overall policy condition.

2. Policies for review

2.1. GP11 - Complaints Policy – **APPENDIX 2**

- Section 2 which was the 'Purpose' of the Policy has been replaced with section 3 'What can I complain about?'
- Section 3 'What can I complain about?' has then been replaced with the text used for section 6 'Expectation' of the current version.
- Varies wording and sentences have been added by the HR team to aid the policy's effectiveness.

2.2. GP24 – Tree Management Policy – **APPENDIX 3**

Amendments have been made to the Tree Management Policy by the previous Service Manager to assist the council when tree enquiries come in. The current policy states that residents can cut back branches and tree roots which if allowed may cause further issues as not all residents will have arboriculture knowledge.

The previous Service Manager expressed that it would be in the councils best interest to look at the tree enquiries on a case-by-case basis and action any work that is needed after the tree in question has been looked at.

3. Recommendation

3.1. The Policy Committee are **RECOMMENDED** to **APPROVE** the amendments highlighted in GP11 – Complaints Policy as per the guidance of the HR team & GP24 – Tree Management Policy.

BICESTER TOWN COUNCIL – LIST OF GENERAL POLICIES



Policy No.	POLICY TITLE	REVIEWED & AMENDED WHERE NECESSARY	NEXT REVIEW DATE (OR BEFORE IF AMENDMENTS REQ)
GP1	STANDING ORDERS	March 2021	March 2024
GP2	HEALTH & SAFETY POLICY	December 2021	December 2023
GP3	FRAUD & CORRUPTION POLICY STATEMENT	April 2024	April 2026
GP4	RISK MANAGEMENT STRATEGY POLICY & RISK REGISTER	March 2022	
GP5	DATA SECURITY INCIDENT PROCEDURE	April 2023	April 2026
GP6	INVESTMENT POLICY	August 2023	SUSPENDED
GP7	GRANT AID AWARDING POLICY	August 2023	August 2026
GP8	FINANCIAL REGULATIONS	August 2022	
GP9	HIRE OF ROOMS AT THE GARTH	February 2022	February 2027
GP10	SNOW CLEARANCE POLICY	February 2022	February 2027
GP11	COMPLAINTS POLICY	February 2022	February 2025
GP12	FREEDOM OF INFORMATION POLICY	August 2023	April 2026
GP13	SPONSORSHIP POLICY	August 2023	August 2027
GP14	PARTNERSHIP & OUTSIDE BODIES REPRESENTATION POLICY	August 2023	April 2026
GP15	EQUALITIES POLICY	October 2022	October 2025
GP16	DATA PROTECTION POLICY	April 2022	April 2025
GP17	PLAY AREAS ADOPTION POLICY	April 2022	April 2027
GP18	PRESS AND MEDIA POLICY	April 2023	April 2026
GP19	VIRTUAL MEETING PROCEDURE	May 2022	SUSPENDED
GP19A	BLUE PLAQUE POLICY	May 2022	April 2027
GP20	ALLOTMENT INSPECTION POLICY	August 2023	August 2026



BICESTER TOWN COUNCIL – LIST OF GENERAL POLICIES

Policy No.	POLICY TITLE	REVIEWED & AMENDED WHERE NECESSARY	NEXT REVIEW DATE (OR BEFORE IF AMENDMENT S REQ)
GP21	SAFEGUARDING POLICY	May 2022	April 2025
GP22	FLAG FLYING POLICY	April 2024	April 2027
GP23	VEXATIOUS COMPLAINTS POLICY	April 2022	April 2025
GP24	TREE MANAGEMENT POLICY	August 2020	August 2022
GP25	DOCUMENT RETENTION POLICY	April 2022	April 2025
GP26	COUNCILLOR VACANCY POLICY	January 2024	January 2028
GP27	SALE OF LAND STANCE	August 2023	August 2028
GP28	MAYORS EVENT POLICY	December 2021	December 2026
GP29	BANK AND CASH HANDLING POLICY	December 2022	December 2024
G30	DELEGATION TO THE TOWN CLERK	January 2024	January 2028



COMPLAINTS POLICY GP11

Document Control				
Review date is indicative and will depend on changes in legislation, best practice or when required. Alternative formats of this document may be available upon request.				
Version Number	Date Adopted	Minute Number	Amendments	Review Date
V1	Adopted 20 th August 2020			
V2	5 th February 2022		Remove Chief Officer title & replace with Town Clerk.	February 2025
V3			Policy Streamlined. Section 3 moved to section 2. Section 6 moved to section 3 & amendments made to the text to aid the complaints process.	

Bicester Town Council
The Garth
Launton Road
Bicester
OX26 8PS

1. Scope

Bicester Town Council aims to provide the best possible service to the residents of Bicester.

The appropriate time for influencing Council decision-making is by raising your concerns before the Council debates and votes on a matter. You may do this by writing to the Council in advance of the meeting at which the item is to be discussed. There is also the opportunity to raise your concerns in the public participation section of Council meetings.

If you are dissatisfied with the standard of service you have received from this council, or are unhappy about an action or lack of action by this council, this Complaints Procedure sets out how you may complain to the council and how we shall try to resolve your complaint.

We greatly value your continued support and goodwill and, therefore, if you have a **genuine** complaint, we would like to hear about it.

Complaints will be dealt with in a proportionate manner.

The Local Government Ombudsman has no jurisdiction over Town, Parish and Community Councils. Therefore, this Complaints procedure has been adopted by the Council in order to allow members of the public the opportunity to submit a complaint



COMPLAINTS POLICY GP11

regarding the administration of the Council or its procedures, and have the complaint dealt with in a fair and timely manner.

2. What can I complain about?

You may want to complain about any of the following:

- If we don't offer you a service that meets your needs.
- If we decide that you can't use one of our services.
- If we take too long to do our job or provide a service.
- If our staff do not behave in the way that you expect, for example if they are rude or you think you have been treated unfairly.
- If you do not agree with a decision we have made.
- If you think we have not involved you enough.

3. Expectations

The Council does not accept anonymous complaints.

The Council does not accept the following type of complaints: -

- Something you knew about more than 12 months before you raised it with the council.
- Requests for information or explanation of council policy or practice.
- Complaints about a council policy.
- Matters for which you already have a right of appeal, or you could have gone to a Court, Tribunal or Government Minister.
- Something which affects all or most of the people of Bicester.
- Personnel matters.
- Contracts for the supply of goods and services
- Persistent complaints about the same or similar issues albeit from different complainants.

4. Your rights

You have the right to be treated fairly, with respect and dignity, whatever your ethnic group, sexuality, disability, age, culture, sex, sexual orientation, religion or belief when you contact us about your views. Our staff have a responsibility to help people who use our services, and their carers, to tell us how they feel about the service they get.

5. What should I do if I want to make a complaint?

5.1 Informal Complaint

You may want to talk about your complaint informally with the staff member providing the service. We encourage you to do this, as we may be able to sort the



COMPLAINTS POLICY GP11

problem out at this stage.

5.2 Formal Complaint - Stage 1

If you have already complained informally and are not satisfied with the outcome or wish to make a formal complaint directly to us, please fill in the form at the end of this policy.

In the first instance your complaint will be reviewed by an appropriate Officer of the Council to decide on the best way of handling it, as it may be that the nature of the complaint is covered by another policy.

We will acknowledge receipt of your complaint within five working days and explain how we intend to deal with it. A full written response will be provided within a further fifteen working days. If more time is needed, we will contact you and provide reasons for the delay and advise of the amended date for the response.

5.3 Formal Complaint - Stage 2

If you are not satisfied with the Council's response at Stage 1 you may request that your complaint progresses to Stage 2 giving the reasons why you are dissatisfied. You will have fifteen working days from receipt of the outcome letter or email to notify the Town Clerk of this.

At Stage 2 the Mayor will arrange through the Personnel Committee for a Councillor to review the outcome of Stage 1 and make recommendations as to a suitable course of action. The Mayor will acknowledge the complaint within five working days and provide a written response addressing your concerns within a further fifteen working days. If more time is needed a letter or email will be sent giving reasons for the delay and a date by which you can expect the matter to be resolved.

5.4 Submitting your formal complaint

Complaints must be submitted in writing this includes email. However, in line with the requirements of the Equality Act 2010, we can make reasonable adjustments to assist you if you have a disability that prevents you from making your complaint in writing. We can also help if English is not your first language. If you need support in completing a complaint form please let us know.



COMPLAINTS POLICY GP11

COMPLAINT FORM

Bicester Town Council hopes that the services you receive are of the quality you expect. However, there may be times when you feel unhappy with the service you receive. The more information you can provide, the easier it will be for us to investigate your complaint efficiently and effectively.

FORMAL COMPLAINT

STAGE 1

YOUR CONTACT DETAILS

(General Data Protection Regulations - We will only use your contact details to process your complaint. We will not pass your contact details to a third party without your permission. We will keep your data for six years following the resolution of your complaint. The legal basis for processing this data is compliance with a legal obligation. Bicester Town Council is the Data Controller.)

Your Full Name	Your Correspondence Address
Your email Address	Your Contact Phone Number (s)

DETAILS OF YOUR COMPLAINT

Please include as much information as you can, including the names of Council Officers you have been in contact with (if known) and relevant dates, events, location etc.



COMPLAINTS POLICY GP11

DESIRED OUTCOME

Please tell us what you would like us to do to rectify the issue(s) set out in your complaint.

Date of submission:

Your Signature:

Please send your completed form to:
Town Clerk, Bicester Town Council, The Garth, Launton Road, BICESTER,
OXFORDSHIRE, OX26 6PS
email: enquiries@bicester.gov.uk



TREE MANAGEMENT POLICY

GP24

Document Control

Review date is indicative and will depend on changes in legislation, best practice or when required. Alternative formats of this document may be available upon request.

Version Number	Date Adopted	Minute Number	Amendments	Review Date
V1	Originally Adopted 24 th Aug 2020		Document control added.	August 2022

1. INTRODUCTION

- 1.1 This is a policy for dealing with tree management across the land in Bicester Town Council's ownership and management. This policy does not cover trees in private ownership which are outside of Bicester Town Council's control. Trees in private ownership are the responsibility of the private landowner. The policy also does not cover Tree Preservation Orders, Conservation Areas or high hedge legislation which is administered by the Cherwell District Council.
- 1.2 This Policy is intended to act as a point of reference for the public, Councillors, officers and professionally interested people to enable informed decision making and to establish a clear, consistent and more structured approach to the issues affecting trees.
- 1.3 Trees are a highly valued feature in the landscape and are of immense environmental and aesthetical value to the Town and its residents. They contribute to the character and beauty of our parks and open spaces, provide a habitat for wildlife, enrich the biodiversity, act as the Town lungs and help to reduce rising temperatures caused by climate change. Many of the trees in the Council's ownership are placed to absorb traffic noise in built-up areas and can help limit noise pollution; as such they act as a screen, increasing privacy in residential roads and gardens. Bicester Town Council recognises these benefits, seeking to preserve healthy trees and encourage the planting of new trees where possible.
- 1.4 We 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 our approach to tree management.



TREE MANAGEMENT POLICY GP24

- 1.5 The overall aim of the tree policy is to ensure that our tree stock is retained, enhanced and increased in the most proactive manner whilst ensuring the health, safety and well-being of the public and property.

2. LEGISLATION

- 2.1 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.
- 2.2 As the owner and manager of trees, Bicester Town Council has a legal duty of care to take all reasonable steps to ensure that any foreseeable hazards can be identified and made safe. This duty is laid down in the Occupiers Liability Act 1984 and the Health and Safety at Work Act 1974 Section 3
- 2.3 Tree works shall be carried out whilst ensuring adherence to all wildlife and conservation laws are observed including:
- Wildlife and Countryside Act 1981 (amended 1995)
 - The Wildlife and Countryside Act 1981(England and Wales) (Amendment) Regulations 2004
 - Countryside and Rights of Way Act 2000
 - The Town and Country Planning (Trees) (Amendment) (England) Regulations 2008
 - The Conservation of Habitats and Species Regulations 2010
 - The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007
 - The Hedgerows Regulations 1997.

3. INSPECTION OF TREES

- 3.1 Bicester Town Council work to a risk-based approach to tree management: a programme of inspection identifying and prioritising potential hazards. The cycle of inspection for trees will be set according to their location and area of risk. Inspections are carried out by appropriately qualified individuals **and further investigations by professional tree surveyors.**
- 3.2 This inspection programme is designed to assess the trees' condition and health whilst highlighting any work that may be required to ensure the tree is retained in the best possible condition.
- 3.3 The decision to prescribe work to a tree is calculated on a risk basis. Risk is calculated through the process of a visual tree assessment. An evaluation of the tree takes into account many factors including:
- Location
 - Size
 - Species
 - Presence of structural decay or defects



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- Relationship of any fungal infection relative to species.

- 3.4 Tree defects likely to cause a hazard are identified, categorised and the appropriate work is undertaken where appropriate to remove the hazard.
- 3.5 In bad weather even the healthiest of trees can become hazardous. Bicester Town Council will take prompt action in such emergencies, to ensure that everything possible is done to protect road users, residents and property.
- 3.6 When the level of risk has been established by surveying the tree any works required will be dependent on reducing the risk to an acceptable level. The legal framework does not require the elimination of risk altogether, but that the risk is minimised to an acceptable level.
- 3.7 If a tree is highlighted to be dead, dying, diseased or dangerous and is posing an unacceptable risk to public safety, it will be identified for felling.
- 3.8 There may be exceptional occasions when a higher risk may be acceptable for example if there is a tree of particular additional value or for reasons of heritage. In these circumstances the advice from an independent consultant will be sought. In addition to this further arboricultural advice or investigations into the condition of the tree may be sought.

4. TREE MAINTENANCE/MANAGEMENT

- 4.1 The Town Council will ensure that 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 originate from enquiries from councillors, residents, council officers, contractors or utility companies.
- 4.2 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 area 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.
- 4.3 In all cases, consideration will be given as to whether the tree in question meets the necessary criteria for protection. We will respond positively to tree issues raised regarding safety and endeavour to undertake works to alleviate damage to property it is not possible or desirable to undertake all works requested. Some requests would not alleviate the problem others would only be a temporary measure which could not be repeated due to restricted budgets. Pruning can be to the detriment of many trees and can have the adverse effect of accelerating additional growth.



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- 4.4 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.

4.5 Overhanging trees/branches

The Council has no legal obligation to prune overhanging trees unless they are causing direct damage to an adjacent property or are dangerous. The Council will not prune trees that overhang neighbouring properties unless the trees are dangerous or are causing an actionable nuisance. This reflects the Council's position as an owner of thousands of trees and the resources available.

Adjacent landowners are **NOT** entitled to prune encroaching tree branches or roots back to the boundary of their property **as this may severely impact the health of the tree and cause unbalance to the canopy. In these cases, the council will inspect the tree and take appropriate action in line with the tree policy**

Where woodland vegetation (not tree's) is encroaching over property boundaries residents may trim back to the boundary line or contact the council who will inspect and take action as appropriate.

For trees located in private gardens which are not owned by the council and where access to the Council's land is required in order to undertake tree works, the adjacent landowner must seek the permission of the Council to enter their land. This will not be unreasonably refused.

It is a requirement that all Contractors working on Council land are suitably qualified to undertake **tree works**. It is also a requirement that adequate public liability insurance (a minimum of £5m or £10m when adjacent of a highway) is in place and that appropriate risk assessments and method statements have been completed. The Council will request evidence of this before permitting access **to council owned trees**.

4.6 Pruning trees for light improvement:

A common complaint about urban trees is that they block light from properties or shade gardens. However, the seriousness of this effect is variable and often removal of the tree will have little effect on the amount of sunlight reaching the house or garden. An example of this is where the house is north facing and the tree is small or at a distance.

There is no right to light under the law and therefore the Council has no legal obligation to abate this perceived nuisance.

However, the Council will consider taking action (pruning or felling) in the following circumstances:



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- Trees over 12m in height – distance between base of the tree and the window of the nearest habitable room is less than 5m
- Trees smaller than 12m high – distance between base of the tree and the window of the nearest habitable room is less than half the height of the tree.
- Where the separation between the edge of the tree canopy and a vertical line through that window is less than 2m. A 'habitable room' means a dining room, lounge, kitchen, study or bedroom but specifically excludes WCs, bathrooms, utility rooms, landings and hallways.
- It is recognised through the preparation of the Equalities Impact Assessment that there are exceptional circumstances in which this approach needs to be more flexible. Where it can be established that the presence of trees is causing a detriment to the health of residents, further consideration will be given to the management approach of trees. This consideration will also take in to account the quality and importance of the tree in question. This approach is important as the presence of trees also has a beneficial impact on other residents and the reduction in the number or size of trees may have a greater impact than on just one original enquirer.

Where a situation falls within these guidelines' cases will be prioritised according to proximity and account will also be taken of the orientation of the affected window. The results of any consultation exercise may modify decisions if it appears that any work would be by and large unpopular with the rest of the community.

4.7 Pruning trees to improve television, satellite or radio, reception:

Interference with television or satellite reception causes frequent complaints. Interference is worse when leaves are on trees and in bad windy and rainy weather. Satellite reception is more sensitive to interference than television reception. There has been an increase in these complaints in recent years with the advent of this new technology and increased numbers of subscribers.

There is no right to good reception and in many cases, it is possible to resolve issues of poor reception by finding an engineering solution.

The Council will only consider requests to prune trees to improve reception where all the following conditions are true:

- Efforts have been made to find an engineering solution to the problem and have not been successful.
- The work required is consistent with good arboricultural practice and will not unduly affect the amenity or health of the tree.
- The work required can be executed within financial resources available.



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4.8 Pruning for clearance of overhead power cables and telecommunications equipment:

In accordance with Schedule 4 of the Electricity Act 1989, electricity suppliers are empowered to remove obstruction to their equipment. This applies where any tree is or will be in such close proximity to an electric line or electrical plant that it will obstruct or interfere with the installation, maintenance or working of the line or plant; or constitute an unacceptable source of danger to the public.

Routine cyclical pruning of trees will enable the Council to proactively manage trees to reduce the risk of obstructions to overhead power and telecommunications equipment.

4.9 Pruning to prevent direct damage to property:

Trees or branches proven beyond reasonable doubt to be the cause of serious structural damage to buildings as identified by a competent professional assessor may be removed by the Council. We endeavour to provide a 1.5 metre clearance from overhanging trees to a dwelling house (not property boundaries).

The Council will cut back trees from properties where they touch windows, walls, roofs or gutters. This will ensure that damage to property such as aerials, tiles or gutters is avoided.

Cases of direct root damage will be considered on an individual basis. A balance will be struck between the nuisance experienced by individuals and the benefits offered by the tree to the wider community.

The Council will not normally take action in response to complaints that Council trees are damaging drains. Trees do not have the capacity to break into a sound drain, but they will ruthlessly exploit any existing fault. The removal of one tree will not prevent other vegetation from exploiting the same opportunity. The Council's presumption is that the appropriate way to deal with tree root blockage of drains is for the property owner to ensure that the drains are watertight.

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 are 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



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failed to take the presence of nearby trees into account and will not be considered appropriate for replacement.

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.

4.10 Subsidence

Subsidence is a complex interaction between the soil, building, climate and vegetation that occurs on highly shrinkable clay soils when the soil supporting all or part of a building dries out and consequently shrinks, resulting in part of a building moving downwards.

Trees lose water from the leaves through transpiration that is replenished by water taken from the soil by the roots. If the tree takes more water from the soil than is replaced by rainfall the soil will gradually dry out. Trees have a large root system and they can dry the soil to a greater depth, critically below the level of foundations. The amount of water trees can remove from the soil can vary between different species.

This policy seeks to set out the Council's response to subsidence claims against its own trees. The opposite of subsidence is a process called 'heave' and this occurs as a shrinkable clay soil re-hydrates (becomes wet again) and begins to increase in volume exerting upward pressure. Heave can also cause damage to buildings and is just as undesirable as subsidence but occurs less frequently.

All claims regarding subsidence will be referred to the Council's Insurer.

The insurers for the claimant or their consultants must provide evidence of ALL the following items before any works are carried out to Council owned trees.

- Physical damage
- Presence of live roots of a suitable species
- Seasonal movement or variation of the damage during different seasons.

If the above evidence is provided, the Council will adhere to the advice supplied by insurers with regard to what, if any, works are required to the trees. If evidence is insufficient any claim will be dismissed.

4.11 Pruning to prevent general nuisances



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4.11 Pruning to prevent general nuisances

The Council will not fell or prune Council owned trees solely to alleviate problems caused by natural and/or seasonal phenomena, which are largely outside of their control.

There are a variety of potential nuisances associated with trees, most of which are minor or seasonal and considered to be social problems associated with living near trees. Examples of such problems are:

- Falling leaves, sap, fruit, nuts, bird droppings or blossom;
- 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.

As with leaves, honeydew is 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 honeydew.

4.12 Tree works WILL take place in the following situations:

- Dead, dying or dangerous trees and branches that are or likely to be a danger public safety;
- Trees or branches creating unreasonable obstruction to a public highway, public right of way or access to property;
- Trees obstructing established essential fixtures and services situated in the highway;

4.13 Tree works MAY take place in the following situations:

- Trees deemed by the Council to be an inappropriate species for their situation;
- Trees in an area which is designated for development or redevelopment;
- To maintain historic or important vistas or in the interest of preservation of heritage or locally important structures;
- Re-pollarding or re-coppicing on a regular cycle;
- Trees giving rise to justifiable fears about risk of crime, or trees that have provided access and/or cover for criminal activity;
- Trees and branches restricting other grounds maintenance operations;
- Trees which need formative pruning to shape or train them during the early years;
- Thinning of trees where it will benefit adjacent specimens or those of more favourable species;



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- The tree is a species which is known to ultimately outgrow its location and in doing so unreasonably restricts the use of the area;
- To protect or enhance biodiversity;
- To improve the aesthetics of the designed landscape;
- Self-set trees on boundaries where they are a significant nuisance;

4.14 The Council will not undertake tree work operations which may be to the detriment of the tree. Tree works WILL NOT be carried out in the following situations or for the following reasons:

- Because trees are perceived as being too large by a member of the public;
- Obstruction of views from private residence;
- Where tree roots have entered gardens;
- To allow construction of new access or driveway to property;
- Erection of fencing, walls, play areas and sports pitches
- To facilitate the implementation of non- essential underground or over ground works.
- The tree 'moves in the wind'

4.15 Other factors constraining work to trees

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. 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.

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.

5. VANDALISM AND DAMAGE TO COUNCIL OWNED/MANAGED TREES

5.1. 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.

5.2. 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



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site. Another method is to put guards or fencing around trees, but these must be large enough and strong enough to offer real protection.

- 5.3. 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.
- 5.4. There are cases where trees we own/manage have been irrevocably damaged or removed without permission. We will investigate any reports of vandalism or damage to trees in our ownership/management and try to repair any damage where we can. Where appropriate, we will take legal action against the person(s) causing the damage.
- 5.5. Any felling or heavy pruning of Council trees on Council land is deemed as criminal damage. The perpetrator will be investigated and under the Anti-social Behaviour, Crime and Policing Act 2014 a Community Protection Notice may be issued, breach of which would result in a fine of up to £2,500 for an individual and £20,000 for a body.

6. TREE PLANTING AND YOUNG TREE MAINTENANCE

- 6.1 From time-to-time trees have to be felled. However, these trees need to be replaced or the tree population will continue to decline. Replanting trees is essential to maintain and help the urban tree population grow.
- 6.2 It is important to ensure that for every tree felled, at least one tree is planted in its place and is properly cared for. The size and scale of replacement planting should reflect both the trees removed and the situation.
- 6.3 Trees in urban areas are usually present either because a conscious decision was made to plant them or because they self-seeded in parks and gardens and were allowed to grow and mature.
- 6.4 A certain amount of natural regeneration can and does occur in areas such as designated nature conservation sites, but the possibilities for this kind of regeneration in a populated urban area are clearly limited. Either way, no previous planting strategy has been devised for Bicester Town Council and new planting has been on a random basis.
- 6.5 It is the Council's intention that every tree felled should be replaced to ensure that over the years the Town retains its tree stock for future generations, although it is recognised that it is not always practical or prudent to replace a tree in the same location or with the same species that was previously planted.



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6.6 Going forward, the intention of Bicester Town Council is:

Retention: Ensuring the retention, wherever practicable or desirable, of trees on Council land.

Replacement: Replace mature trees lost through natural wastage (disease, senility etc.) and those that have out-grown their environment so that in these areas the existing tree populations do not decline

Enhancement: Where appropriate, to increase the tree cover and species diversity in those areas of the council's land that are lacking in trees. Taking into account any visual landscape factors so that the species chosen will, when mature, have a significant impact in enhancing the character of the area without compromising any existing views, sightlines etc.

Continuous Tree Cover: To undertake the management of the existing stock ensuring that there is a continuous programme of tree replacement ensuring that there is a mixed range of age and species.

Species Selection: Planting appropriate species for the particular space. Achieve a species mix so that in the event of a future disease affecting one particular species (as happened with Dutch Elm disease) no one area or park suffers from excessive loss due to a single species being the dominant tree.

Conservation: Encourage nature conservation through tree planting so that there is a measurable increase in the conditions suitable for wildlife to colonise areas where previously it had limited foothold opportunities.

Publicity and Promotion: Increase the level of public awareness of the tree resource by encouraging public involvement in decision making and planting schemes.

Sponsorship: To encourage members of the public, businesses and other groups to sponsor trees via the introduction of a Tree Donation Scheme.

Adoption: The cost of tree planting can be significantly reduced if local residents agree to implement some of the maintenance/monitoring tasks in the first few years. Often, trees planted at the request of nearby residents have the best chance of survival, as the resident will keep watch on the tree and either undertake remedial works or inform the Council of problems.

7. RECORD KEEPING & APPLICATION OF THE POLICY

7.1. The Council, or its contractor, will retain adequate records of the details of inspection and maintenance regime for all trees.

7.2. Although, we believe this policy to be as comprehensive as possible, we acknowledge it does not cover every situation. Bicester Town Council reserve the right to exercise discretion in application of this policy when to do so commit to be in the best interests of the Council and residents.

7.3. All enquiries regarding trees on Bicester Town Council land should be directed to the Council on 01869 252915 or enquiries@bicester.gov.uk Our trees are managed on our behalf under contract by Cherwell District Council, a query may therefore be referred on.

**BICESTER TOWN COUNCIL
POLICY COMMITTEE
Monday 16th September 2024
Climate Emergency Resolution - Motion**

Chair: Councillor Paul Wheatley

Telephone: 01869 252915 Paul.Wheatley@bicester.gov.uk

Paul Canning – Deputy Town Clerk

Telephone: 01869 252915 Paul.Canning@bicester.gov.uk

Ward Affected: All Wards

1. Overview

- 1.1. Under Item 6 of the Standing Orders Motions for a meeting that require written notice to be given to the proper officer. Councillor Tom Beckett, Seconded by Councillor Alisa Russell proposed the following motion.

2. Background

- 2.1. During the Bicester Town Council meeting on the Tuesday 3rd September 2019 ([minutes here](#)), the council agreed to a Climate Emergency Resolution, whereby the council agreed to facilitate the reduction of carbon emissions:

- i. Declare a Climate Emergency and work to becoming a carbon neutral organization ~~by 2030~~, to include scope 1, 2 and 3 emissions.
- ii. Task the Policy Committee to identify means and opportunities to reduce and eliminate carbon emissions.
- iii. Task the Policy Committee to investigate the creation of a grant pot to encourage and enable carbon reduction schemes within Bicester for the year 2020-21. The primary criterion for applications should be CO2 savings per pound spent.
- iv. Where possible, include environmental implications of recommendations in officer reports alongside legal, financial and equality implications. These will include the impact of recommendations on CO2 emissions as well as any other environmental factors.
- v. Call on Central Government, Oxfordshire County Council and Cherwell District Council to provide powers and/or resources to help achieve carbon neutrality.
- vi. Endorse the cross-party position taken by other bodies including the LGA and NALC to call on HMG to explore supporting domestic implementation of Sustainable Development Goals through funded partnership roles within each local authority area;
- vii. Seek ways to facilitate and encourage our community in reducing direct and indirect CO2 emissions and to become resilient to changes caused by changing climate. We will take active steps where possible to encourage:

- More sustainable transport.
- Reductions in energy use in homes, businesses and elsewhere.
- Co-operation with organizations seeking to develop low carbon and community led affordable housing in Bicester.
- Use and development of renewable energy sources.
- Production, sale and consumption of locally sourced food.
- Any other methods of achieving the aims above.

3. Motion

- 3.1. This committee recognizes the significant work of the council to reduce its emissions through purchase of electric vehicles, installation of LED light bulbs, and work around other efficiency measures across council owned buildings.
- 3.2. This committee also recognizes that many of the above resolutions made by the council in 2019 haven't been met, particularly points 1, 3, 4 and 7 as recorded above.
- 3.3. This committee therefore requests that the Town Clerk takes action on the Climate Resolution, with the particular tasks of:
 - a. Identifying the costs for the council to have an external audit of Scope 1, 2 and 3 emissions, alongside a list of recommended actions the council could take to reduce those emissions, with this investigatory work to be done ahead of budget setting for the 2025/26 period.
 - b. Climate Emergency Resolution be placed on the forward plan for review at each meeting until such time that a report can be readied.

4. Recommendation

- 4.1. Councillors are asked to **NOTE** and **COMMENT** on the report.

**BICESTER TOWN COUNCIL
POLICY COMMITTEE
Monday 16th September 2024
Forward Plan**

Date/ Item/ Comment

Pending: Closure policy for cemetery

Pending: Retention of assets policy

Pending: Future management of 'new' open space play areas

Pending: New burial ground and memorial policy

Pending: 20mph speed limits

On-going: Working on town centre group

New: Sports Pitches, Rules & Regulations