

**TUTBURY PARISH COUNCIL (TPC)**

A meeting of the Parish Council was held in the Charity Office, Duke Street, Tutbury Monday 20<sup>th</sup> February 2017.

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1.1 Those presents were Cllrs W Crossley (Chairman), Councillor A. Allen (Vice Chair) C Smedley, S Adams, D Morris, M Guest, L Beighton, in attendance, Karen Duffill (Clerk)

**163/1.0 APOLOGIES**

1.2 Apologies were received from, Parish Councillors, F Crossley and P Steadman, T Spencer Smith, Borough Councillors S Gaskin and Cllr D Goodfellow.

1.3 Non-Attendance Parish Councillors, J Hale, County Cllr B Fraser,

**164/2.0 MINUTES OF THE MEETING HELD ON 16<sup>th</sup> January 2017**

2.1 The minutes were agreed that they were a true record, and signed by the chairman.

**165/3.0 DECLARATION OF INTERESTS**

None declared.

**166/4.0 CLERKS REPORT**

**4.1 Belmot Rd Drain update**

Formal complaint response from the County Council received. Regarding the drain on Belmot Road. There has been a break or collapse in the highway system which connects to the public surface water system and requires excavation to resolve. When this work takes place they will be able to identify where the sewerage misconnection is and will be able to rectify this.

The County Council will jet the gully to clear the surface water. We know from this being done several times that it is only temporary and when we have heavy rainfall the problem returns.

**Changing Rooms update**

Tutbury tigers have agreed to pay £400 fees for both teams, cheque received.

**Crossroads at Anslow, Tutbury and Hanbury update.**

Hanbury parish council has sent an email of support and Anslow Parish Council has requested that Julia Wells investigates the accident reporting process to SCC as there was a near fatal accident there recently. However, SCC do not regard the

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accident levels as significant enough to implement any measures to reduce the speed on this road.

### **Neighbourhood Fund.**

The clerk and Cllr T Spencer Smith attended the relaunch session of the ESBC Neighbourhood Fund. The main change is that now the funding programme will be a rolling process where funding is applied for throughout the year rather than all applications submitted for a set time period.

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### **Chatsworth Drive**

The clerk is awaiting a response from residents, regarding the fence on the Chatsworth Drive footpath, more bricks have fallen away and broken up as the children do run along the rear of the fence.

### **Debt benefit and consumer advice**

Contact has been made for more information regarding this funding shortfall for the Citizen Advice Bureau, but as the deadline has now passed no further consideration would be accepted. Tutbury will be updated on the outcome now that we have shown interest.

## **167/5.0 BOROUGH COUNCIL REPORT**

5.1 No reports received.

### **168/6.0 ACCOUNTS PAYABLE**

Karen Duffill	Clerks Salary and overtime	921.89
Karen Duffill	Expenses	83.03
HMRC	Tax and NI Payment	86.32
Staffordshire LGPS	Pension Employer contribution Employee Contribution	373.68
Sterilizing services	Legionella control Annual check inv 35147	43.20
Aucuba Landscapes	Churchyard contract inv 3761	203.45
SSLCC	Training Day 4 Cilca	78.00
Tutbury Parish Charities	Playing field rent 6 months £250 and £150 6 months use of charity office	£400
Topliss Association ltd	Internal Auditor fee	97.28
James Hollis	Street Cleaning Contract	323.33
Staffordshire Wildlife trust	£42 per annum £3.50 monthly	3.50 monthly DD
Staffordshire Parish council Association	Development control course	£20.00

## 168/7.0 CONTRACTS RENEWAL

7.1 Quotes from existing contractors for two year contracts were proposed and accepted.

Firs Farm Nursery  
TH Heath Contracts  
Aucuba Landscapes

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The existing insurance quote was slightly higher than an alternative quote over a 3 year period.

### **Resolution**

The clerk will write to confirm contracts

To contact the existing insurance broker to see if the price could be reduced to match the alternative quote. If this was possible then the existing contract should continue if not then a further decision should be made at the March Parish meeting.

## 169/8.0 STREET CLEANING

8.1 Considering the Borough Council cleans the streets weekly on a Wednesday and the need to change the role to keep the bus shelters and telephone box clean and weed free the existing contract should be changed. Cllrs felt that savings could be made on this contract.

It was resolved that the contract should be open to tender and should be advertised in the Burton Mail, Tutbury Village News, Village notice board and if possible the School newsletter and local shops.

### **Resolution**

The clerk will change the Contract specification, advertise and distribute.

## 170/9.0 PLANING APPLICATIONS

### 9.1 Application p/2017/ 00081

**Removal of one field maple tree T63 of TPO 9 and replace with one Rowan tree.**

**9 Redhill lane, Tutbury**

#### **Application ref P/2017/00079**

Remove overhanging branches from 1 maple, 1 laburnum, 1 beech and 1 leylandii tree to No 17 Fishpond Lane and crown reduction of 1 leylandii by 0.6m in height and spread

1 Castle Street, Tutbury, Staffordshire, DE13 9JF      Grid Ref:      421096 328905

#### **P/2017/00179**

Crown reduce by up to 1 metre one Plum tree, crown reduce by up to 1.5 metres one Ash tree one Yew tree and one Ivy tree

Tutbury Health Centre, Monk Street, Tutbury, Staffordshire, DE13 9NA

No Objections

**Listed Building application for the replacement of windows to side and rear elevations, in substitution for those conditionally approved under reference P/2015/01332.**

**Ashleigh House, 11 High Street, Tutbury, DE13 9LP**

The clerk will speak at the Committee meeting regarding the comments submitted on the application response previously sent.

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**9.2 Decisions**

Erection of three industrial units, formation of a vehicular access, and associated car parking.

Plot 6, Castle Point Business Park, Fauld De13 9HR.

**PERMITTED**

**171/10 .0 POLICIES AND PROCEDURES**

**10.1 Equal Opportunities**

The proposed policy was approved See appendix A. The meeting room will now move to the Village Hall which is more accessible to the public. The financial loss of the meeting room for the Parish charities will be met by means of a grant from the Parish Council to the charities.

**10.2 Pension Policy Discretionary Functions.**

Pension policy was approved according to recommendations made in January 2017 Meeting and approved. See appendix B.

**10.3** A signed Declaration of Office was received from Cllr Lesley Beighton recently co-opted councillor.

**172/11.0. PARISH COUNCIL PROFILE AND WEBSITE**

11.1 The Parish council will need to decide whether to continue on its existing web domain or to invest in a new domain name. Currently the parish council website sits on Tutbury.Org domain, the clerk will obtain further quotes and investigate the requirements.

11.2 Social media may be a better way to engage with the community. The clerk will be attending a social media training course in March

**173/12.0 COMMUNITY BUILDING**

12.1 The working party reported there was a need to publicise that a building was to be built, that users were required –potentially a group / committee to

oversee the day to day running of the building, and that now was the time for discussions on the best layout.

### **Recommendations from the working Party**

A flyer to be distributed and a Facebook could be set up to advertise meeting dates. An article should be placed in Tutbury Village News and Hilton Directory. A flyer for distribution to all households by the P C Street Reps which would include a call to the Annual Meeting but also cover the availability of the building and an invite to join the committee

D A Facebook page could be set up and the same information included both there and  
R on existing pages such as Tutbury Debate etc. this could be shared through other  
A pages.

F The flyer / publicity should include an invite to the next two meetings proposed for  
T 16th March and 13th April, it should include a telephone number and an email address.

Duncan Goodfellow agreed to set up an online 'Survey Monkey' survey and link that people could log on to and answer several simple questions on possible usage ideas and requirements for the building.

### **Resolution**

Further discussion was required on how the information should be distributed, an article would be placed in Tutbury Village News.

### **174/13.0 ANNUAL PARISH MEETING**

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3.1 The date agreed for the annual meeting was Friday May 12<sup>th</sup> 7.30pm Tutbury Village Hall Large Room.

13.2 W Crossley's proposed that this was his 50<sup>th</sup> year on the Parish Council and he suggested reflecting this in the chairman's report and making a presentation with clips of film and photos of Tutbury, accompanied by Tutbury Band.

13.3 Other suggestions for the agenda could include the Community Building. Refreshments could be made available.

### **Resolution**

To invite Tutbury band to accompany the chairman's report.

### **175/ 14.0 CHURCHYARD MATTERS**

14.1 A request for a church meeting had been received from Revd I Whitehead. Councillors agreed this should take place in the village hall. The clerk will arrange a suitable date and time.

14.2 A faculty notice has been received from the Diocese of Lichfield for the Wreath holders. These will be erected in the first half of 2017 when the forge company have made them. Maintenance will be carried out by the Parochial Church Council.

### 14.3 War Graves Sign

The Parochial Church Council has been approached by the Commonwealth War Graves Commission about the possibility of installing signs to inform people of the existence of the war graves in the church yard.

These signs would be made, installed and maintained by the War Graves Commission. It was resolved to allow permission for the sign but not to maintain it. The PCC will be informed of the decision by the clerk.

### 176/15.0 CORRESPONDENCE

- An email has been received regarding the footpath between Owens Bank to Fauld.

It was resolved to request improvements from the County Council the clerk will write to Highways.

- This year Keep Britain Tidy are holding “The Great British Spring Clean” which is looking to get half a million litter heroes across the UK out collecting litter on Friday 3rd March.

It was resolved not to participate in this initiative.

East Staffordshire Borough Council are planning to hold their own community litter pick along “the gateway to Burton” Wellington Road and adjacent paths on 12<sup>th</sup> April 2017, details to follow.

- Local Councillor Training Course – Tuesday 7 March 2017
- Change of details for Savills (Duchy of Lancaster Solicitor)

### 177/16.0 ITEMS FOR THE NEXT AGENDA

- Policies and Procedures
- Council Website
- Annual Parish Meeting
- Community Building
- Risk Analysis
- Best Kept Village

### 178/17.0 DATE OF THE NEXT MEETING

17.1 Parish Meeting March 6th 2017 7.30pm

Appendix A

# TUTBURY PARISH COUNCIL

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## Equal Opportunities Policy

**TUTBURY PARISH COUNCIL IS AN EQUAL OPPORTUNITIES EMPLOYER**

### LEGAL POSITION

It is unlawful to discriminate against an individual on the following grounds:

- **age**
- **disability**
- **gender reassignment**
- **marriage and civil partnership**
- **pregnancy and maternity**
- **race**
- **religion or belief**
- **sex**
- **sexual orientation**

### The Policy Aims

Tutbury Parish Council's intention is to be an effective Equal Opportunities organisation. This means it will do everything in its power to ensure that everyone has equal access, and is treated with respect, in relation to employment opportunities, to its services and to all its activities.

### As an Employer

2.1 All employees are required to treat one another with mutual respect. Actions, behaviour and attitudes should consistently demonstrate respect for the dignity and worth of an individual, irrespective of the position they have within the organisation.

2.2 Tutbury Parish Council is making every effort to create a workplace where individuals are valued, listened to and treated with respect.

2.3 Tutbury Parish Council maintains a work environment that seeks out and values the insight, experience, contribution and full participation of all staff.

2.4 Harassment and discrimination in any form is unacceptable behaviour and offenders will be subject to disciplinary action.

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### **As a Service Provider**

3.1 Tutbury Parish Council will strive to ensure that all services provided by, or on behalf of, the Council are made accessible to all individuals and groups equally and without discrimination.

3.2 All service users will be treated with respect. Actions, behaviour and attitudes should consistently demonstrate respect for the dignity and worth of an individual.

3.3 Tutbury Parish Council will, wherever appropriate, work in partnership with other agencies in the area, including the county and district councils, voluntary groups and community organisations to promote equal opportunities.

3.4 Tutbury Parish Council will ensure that all contractors directly supplying goods and services or executing works for, or on behalf of the Council, comply with this Council's stated policy on equal opportunities.

### **The Policy in Action**

#### **As an Employer**

Tutbury Parish Council aims to achieve the policy by:

- ensuring its employees are made aware of their rights and responsibilities to each other, the customer and the organisation regarding equal opportunities issues;
- providing a way in which individuals can communicate any concerns via competent named personnel;
- treating any unacceptable behaviour seriously;
- ensuring all Managers/Members realise they have a key role in implementing this policy and are expected to take personal responsibility in ensuring its success;
- providing awareness training for all employees and Councillors, ensuring opportunities to develop relevant competencies are available to implement the policy;

- meeting the commitments and living the aims of being a “Positive about Discrimination” employer.

### **As a Service Provider**

Tutbury Parish Council aims to achieve its policy by:

- ensuring that no member of the public is disadvantaged, or treated less favourably than others, in terms of access to Council services. Where the Council’s practice, policy or procedures are found to make access impossible or unreasonably difficult, we will take such steps as are reasonable in the circumstances to change these practices, policies or procedures;
- ensuring that, wherever practical, all public buildings and premises owned or managed by the Council are accessible to all.
- recognising the importance of communication in attaining equity and quality services, which are responsive to the needs of all local people, for example through the provision of information in large print or audio on request;
- complying with the Equality Act 2010 and all relevant legislation relating to discrimination and equity.

### **Role of Councillors and Employees**

All Councillors and employees are responsible for implementing the Council’s Equal Opportunities Policy. It is important that all individuals who are employed by the Council appreciate that they have a responsibility and a role to play in the provision of equal opportunities.

### **Monitoring of Equal Opportunities**

6.1 The Council’s Employment Committee will have responsibility for the implementation and monitoring of the policy as it applies to Tutbury Parish Council as an employer, involving staff as appropriate in the monitoring process.

6.2 Complaints from staff about discrimination or unfair treatment will be dealt with as laid down in the Council’s Grievance Procedures.

6.3 Complaints from members of the public about discrimination or unfair treatment will be dealt with through the Council’s Complaints Procedure.

Appendix B

# TUTBURY PARISH COUNCIL

Clerk:  
Karen Duffill

9 PINFOLD CLOSE  
TUTBURY  
BURTON UPON TRENT  
STAFFORDSHIRE  
[clerk@tutbury.staffslc.gov.uk](mailto:clerk@tutbury.staffslc.gov.uk)

Telephone:  
07486 406045

**EMPLOYER: TUTBURY PARISH COUNCIL**

**LOCAL GOVERNMENT PENSION SCHEME REGULATIONS 2013**

## **STATEMENTS OF POLICY ABOUT EXERCISE OF DISCRETIONARY FUNCTIONS**

**D** In accordance with Regulation 60 of the above regulations a Scheme employer **must**  
**R** prepare a written statement of its policy in relation to the exercise of its functions under  
**A** regulations:

- F**
- 16(2)(e) and 16(4)(d) (funding of additional pension);
  - 30(6) (flexible retirement);
  - 30(8) (waiving of actuarial reduction); and
  - 31 (award of additional pension).
- T**

In addition and in accordance with Paragraphs 2(2) of Schedule 2 to the Local Government Pension Scheme (Transitional Provisions, Savings & Amendment) Regulations 2014 a Scheme employer **must** also prepare a written statement on whether, in respect of benefits relating to pre 1<sup>st</sup> April 2014 membership, to 'switch on' the 85 year rule for a member who voluntarily retires (leaves employment) and elects to draw their benefits on or after the age of 55 and before the age of 60 thereby agreeing to waive in full or part any actuarial reduction applied to the member's benefits.

A Scheme employer **must** send a copy of its statement to the administering authority (Staffordshire County Council) and must publish its statement.

A Scheme employer **must** keep its statement of policy under review and make such revisions as are appropriate following a change of its policy.

Where a revision to the statement of policy is made, a Scheme employer **must** send a copy of its revised statement to the administering authority before the expiry of one month beginning with the date that any such revision is made. A Scheme employer must also publish its revised statement.

In preparing, or reviewing and making revisions to its statement, a Scheme employer **must** have regard to the extent to which the exercise of its discretionary functions could lead to a serious loss of confidence in the public service.

Whilst it is compulsory for a Scheme employer to prepare a statement in respect of the regulations detailed above, there are a number of other discretions available to a Scheme employer throughout the Scheme Regulations which do not require such a statement of policy to be made. It is recommended for administrative purposes that such additional statements are made and included as part of the statement of policy.

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Once completed, a Scheme employer **must** ensure that its statement of policy is published in a place that is easily accessible to all of its eligible Scheme employees and that any revisions made to the statement of policy are equally accessible.

#### **SCHEME EMPLOYER DECLARATION**

The Scheme employer known as **TUTBURY PARISH Councils** prepared this written statement of policy in relation to its exercise of certain discretionary functions available under the Local Pension Scheme Regulations 2013. The Scheme employer declares that it will keep this statement under review and publish the statement (and any amendments made thereto) in a place that is easily accessible to all of its eligible Scheme employees and that it will provide to the administering authority the most up to date version of the statement at all times.

### Local Government Pension Scheme Regulations 2013

#### ***Regulation 16 – Additional Pension Contributions***

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

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

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

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

#### **Scheme Employer's policy concerning the whole or part funding of an active member's additional pension contributions**

- **TUTBURY PARISH COUNCIL WILL NOT FUND AN EMPLOYEE'S APC.**

***Regulation 30(6) – Flexible Retirement***

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

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

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

**Scheme Employer’s policy concerning flexible retirement**

- ***TUTBURY PARISH COUNCIL WILL CONSIDER EACH APPLICATION ON ITS MERITS SUBJECT TO THE FINANCIAL IMPLICATIONS FOR THE EMPLOYER.***
- ***TUTBURY PARISH COUNCIL WILL ALLOW FOR ALL PENSION BENEFITS TO BE RELEASED REGARDLESS OF SCHEME MEMBERSHIP.***

***Regulation 30(8) – Waiving of Actuarial Reduction***

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

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

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

**Scheme Employer’s policy concerning the waiving of actuarial reduction**

- ***TUTBURY PARISH COUNCIL WILL CONSIDER EACH APPLICATION ON ITS MERITS SUBJECT TO THE FINANCIAL IMPLICATIONS FOR THE EMPLOYER.***

**Regulation 31 – Award of Additional Pension**

A Scheme employer may resolve to award

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

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

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

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

**Scheme Employer's policy concerning the award of additional pension**

- **TUTBURY PARISH COUNCIL WILL NOT APPLY THIS DISCRETION.**

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**Local Government Pension Scheme (Transitional Provisions and Savings) Regulations 2014**

**Schedule 2 – paragraphs 2 and 3**

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

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

**Scheme Employer's policy concerning the 'switching on of the 85 year rule**

- **TUTBURY PARISH COUNCIL WILL CONSIDER EACH OCCURRENCE AS IT ARISES SUBJECT TO THE FINANCIAL IMPLICATIONS FOR THE EMPLOYER.**

RECOMMENDED policy in accordance with the  
Local Government Pension Scheme Regulations 2013

**Regulation 9(1) & (3) – Contributions**

Where an active member changes employment or there is a material change which affects the member’s pensionable pay during the course of a financial year, the Scheme employer may determine that a contribution rate from a different band (as set out in Regulation 9(2)) should be applied.

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

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**Scheme Employer’s policy concerning the re-determination of active members’ contribution bandings at any date other than 1<sup>st</sup> April**

- **TUTBURY PARISH COUNCIL WILL SET EMPLOYEE CONTRIBUTION RATES AT 1ST APRIL EACH YEAR AND MAKE NO CHANGES THROUGHOUT THE YEAR**

**Regulation 100(6) – Inward Transfers of Pension Rights**

A request from an active member to transfer former pension rights from a previous arrangement into the Local Government Pension Scheme as a result of their employment with a Scheme employer must be made in writing to the administering authority and the Scheme employer before the expiry of the period of 12 months beginning with the date on which the employee first became an active member in an employment (or such longer period as the Scheme employer and administering authority may allow).

**Scheme Employer’s policy concerning the extension of the 12 month transfer application period**

- **TUTBURY PARISH COUNCIL EXAMINE EACH CASE AT THE APPROPROATE TIME.**
- **TUTBURY PARISH COUNCIL WILL ACCEPT TRANSFERS IN BEYOND THE 12 MONTH DEADLINE WHERE THERE IS NO FINANCIAL RISK TO THE EMPLOYER SUBJECT TO THE ADMINISTERUG AUTHORITY’S AGREEMENT.**

*I DECLARE THAT TUTBURY PARISH COUNCIL WILL MAINTAIN THIS POLICY AND WILL REVIEW IT ANNUALLY.*

SIGNED.....PRINT.....

DATE.....CHAIRPERSON OF TUTBURY PARISH COUNCIL.

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