

THCLERKS REPORT JANUARY 2016

RESOLUTIONS UPDATE AND INFORMATION

Belmot Rd Drain update

Formal complaint response received. Regarding the drain on Belmot Road. There has been a break or collapse in the highway system which connect to the public surface water system which 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.

However, we are now on a list and we are not told how long we will have to wait before the work is done, but where resource permits the 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.

Jason Midgely did suggest that his firm's legionella control company could incorporate our checks in with his and potentially make more of a saving to negotiate against the fees further.

His firm recommends that we keep the water temperature at a constant rather than heating up from cold each week.

Crossroads at Anslow, Tutbury and Hanbury update.

The clerk has discussed the problem raised 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 accident levels as significant enough to implement any measures to reduce the speed on this road.

Clerks Networking update

Rolleston have received a significant funding bid from multiple organisations to de silt the lake and clear out and improve the area of significant natural interest. Staffordshire wildlife trust will be working with them to erect interactive educational boards for the school children and scout groups that visit.

Rolleston are planning a changing room with the CIL money from a new housing development on Craythorne Rd

Hanbury Parish Council forest school on Longhedge Lane is progressing with De Ferrers academy and schools with people with learning disabilities

Barton and Anslow Village hall both have management committees and the parish councils are custodial trustees. Barton Clerk is the Booking Clerk for the Barton Village Hall as her office is based there and she dedicates 8 hours a week. However, the finances and caretaker is all taken care of by the management committee.

Other funding streams identified by fellow clerks as the High sheriff funds and the crime commissioner Matthew Ellis funds are available.

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.

The process will be set out on four stages.

1. Expression of interest . application is submitted
2. Presentation- applicants are invited to do a presentation to the funding panel
 - The application will be accepted or rejected
3. Detailed Bid - confirmation that all elements are in place to deliver the project.
4. Make award or reject bid with feedback resubmission advice.

Plenty of example of funding project information is available. This funding could be used for the green space project at the new community building.

The clerk has contacted the residents, who will get back in touch to arrange a site visit 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 we have shown interest.

AGENA ITEMS

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
203.45SLCC	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

PLANNING APPLICATIONS

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

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 above application will be considered by the Planning Applications Committee at its next meeting on **21st February 2017**.

As Clerk to the Parish Council, the opportunity exists for either yourself, Chairman or other elected Member of your Council to speak at the Planning Applications Committee (for a maximum of 3 minutes) in order to address your comments to the Committee Members.

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

Pension Policy Discretionary Functions.

Pension policy to be reviewed and approved. See appendix.

CONTRACT RENEWAL due 1st April quotes need to be received for Feb meeting should we ask for two-year contract quotes?

Mowing contract for the church yard

Triangle maintenance **Received**

Ferrers Avenue Playing fields mowing and hedge contract

Cornmill Lanes mowing and Hedge Contract **Received**

Planters supply and maintenance **Received**

Insurance renewal due **Received**

Street Cleaning and bus shelters

Park Pale strimming **Received.**

Areas not covered; bank near the school, Ludgate Street steps footpath, Green Lane hedge, Footpaths -closed bank, Wakefield Avenue

Consideration of other maintenance work for example church drains and installation of a Christmas tree stand on the Triangle Tree maintenance at the churchyard.

Weeding of the bus shelters and the High Street, and other known areas.

EQUAL OPPORTUNITIES

Equal Opportunities . policy to be approved and meeting room venue reviewed.

Meeting Room Venue costings

Room Hire costings

	Current	
Meeting Room hire		300

Village Hall £8 hour	=£32 per meeting
	=416 13 meetings

ad hoc meetings	192	6 meetings
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Approx. room hire based on	£600	
number of meetings 2015-2016	21	new rate total
		672

Parish charities grant consideration.

CHURCHYARD MATTERS

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. Notes from the faculty includes information regarding maintenance.

It has now been accepted that although the Parish Council have the statutory responsibility for maintaining the churchyard it will not be responsible for the maintenance of the wreath holders. It has been agreed that to the extent that maintenance of them is necessary the burden of this will fall on the Parochial Church Council. Moreover, TWMPCC has confirmed that it will hand over to that council the sum of £1000 to meet future maintenance costs.”

Reverend Whitehead has requested a meeting with Parish Councillors to discuss current churchyard matters.

A response from the Bishop has been received, suggesting a meeting with the church.

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.

The PCC is in favour of having these signs and we have been offered two. One of which we would like to have installed on the brick pillar to the right of the steps in Church Street. We understand that these brick pillars are in the ownership of the Parish Council.

I have attached two photographs with this letter which will show how the sign would appear if the Parish Council gives permission. The sign's dimensions are 210mm x 150mm

We hope the Parish Council is in agreement with this proposal and look forward to a positive response.

CORRESPONDENCE

- An email has been received regarding the footpath between Owens Bank and Fauld road this pavement has fallen more into dis-repair. Lots of people use this path to and from Tutbury it is becoming over grown with grass from the sides, causing it to narrow, it is very muddy and water tends to remain on the path unable to drain away. It is difficult to use a wheelchair or pushchair on it. The road is very busy and a safe clean footpath is appreciated. I hope that you would consider a tidy up to maintain this to a safe path for all to use.

- Last year many Parish Councils rallied together an army of volunteers across the Borough to celebrate the Keep Britain Tidy “Clean for the Queen” community litter pick campaign.
- 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.

If you could please discuss this at your next Parish Council meeting and confirm back to myself if your Parish will be holding a community litter pick and If you can't make this date, please feel free to arrange another date for your event – they all count.

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

Working together we can make a real start in combating the scourge of litter and demonstrate that there are many, many people across the Borough that care passionately about the issue and are prepared to do something to help sort it out.

For further details please visit www.greatbritishspringclean

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

TUTBURY PARISH COUNCIL

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:

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

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 2

TUTBURY PARISH COUNCIL

Clerk:
Karen Duffill

9 PINFOLD CLOSE
TUTBURY
BURTON UPON TRENT
STAFFORDSHIRE
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

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

- 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).

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 1st 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.

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 1st 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 1st 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.**

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.

Scheme Employer's policy concerning the re-determination of active members' contribution bandings at any date other than 1st 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.

SIGNEDõ õ õ õ õ õ õ õ õ õ õ õ õ õ PRINTõ õ õ õ õ õ õ õ õ õ õ õ õ ..

DATE 0 0 0 0 0 0 0 0 0 0 0 0 0 CHAIRPERSON OF TUTBURY PARISH
COUNCIL.