



MINUTES OF AN ORDINARY MEETING OF THE COUNCIL

Meeting: Thursday, 15 December 2016 at 7.15 pm in The Arts Centre, Pavilion Gardens, Buxton

Present: Councillor G. Wharmby (Mayor)

Councillors T Ashton, R Atkins, A Barrow, C Boynton, G Claff, J Douglas, L Dowson, P Easter, S Flower, A Fox, D Greenhalgh, L Grooby, J Haken, P Hardy, S Helliwell, C Howe, I Huddleston, P Jenner, C Johnson, E Kelly, T Kemp, D Kerr, D Lomax, N Longos, J McCabe, A McKeown, G Oakley, J Perkins, J Pritchard, D Robins, K Sizeland, F Sloman, M Stone, E Thrane, J Todd, J Walton, J Wharmby and S Young

Apologies for absence were received from Councillors J Kappes, R McKeown, R Quinn and E Siddall

17/18 TO RECEIVE DISCLOSURES OF INTEREST ON ANY MATTER BEFORE THE COUNCIL
(Agenda Item 2)

There were no disclosures made.

17/19 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING
(Agenda Item 3)

It was moved by Councillor Ashton and seconded by Councillor Kemp that the minutes of the Ordinary and Annual meetings of the Council held on 6 October 2016 be approved as a correct record.

The motion was carried and the Mayor was authorised to sign the minutes.

17/20 MAYOR'S ANNOUNCEMENTS
(Agenda Item 4)

The Mayor announced that all councillors were invited to attend a reception to honour the admission of Mr Peter Matthews as a Freeman of the Borough. This would take place at 1.00pm on 13 February 2017 at Glossop Cricket and Bowling Club. In the absence of sending Christmas cards councillors were also invited to make donations towards the Mayor's charity funds.

17/21 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN
(Agenda Item 5)

There had been no questions received.

17/22 TO APPROVE THE RECOMMENDATION FROM THE AUDIT AND REGULATORY COMMITTEE MEETING HELD ON 29 SEPTEMBER 2016 RELATING TO:
(Agenda Item 6)

a) Appointment of Mayor 2017/18

It was moved by Councillor Pritchard and seconded by Councillor Robins that the Labour Group be invited to make a nomination for the appointment of Mayor of the Borough and Chairman of the Council for the municipal year 2017/18. It was announced that the Labour Group would propose Councillor Stone as Mayor at the next Annual Council meeting.

When put to the meeting it was RESOLVED accordingly.

17/23 TO APPROVE THE RECOMMENDATIONS FROM THE STANDARDS COMMITTEE MEETING HELD ON 17 NOVEMBER 2016 RELATING TO:
(Agenda Item 7)

a) Standards Committee - Annual Report 2015/16

It was moved by Councillor Johnson and seconded by Councillor Sloman that the report be noted.

When put to the meeting it was RESOLVED accordingly.

17/24 NOTICES OF MOTION
(Agenda Item 8)

a) Dying to Work Campaign

It was moved by Councillor Kelly and seconded by Councillor Sloman:

That this council notes the TUC Dying to Work Campaign which has raised the following concerns:

1. That the Equality Act provides protections against discriminatory treatment based on the concept of 'Protected Characteristics.'
2. Currently workers with a terminal illness are not classified as having a Protected Characteristic and therefore have very limited legal protection against employers dismissing them due to illness.
3. That employers are therefore free to dismiss terminally ill workers once they have made 'reasonable adjustments' to the employee's job to assist with the illness.
4. This council agrees that the last thing a terminally ill worker would need is the distress at the same time as facing up to a terminal illness is to have to fight for the right to continue working and not to face the indignity of being sacked.
5. In addition, this council notes that the loss of death in service benefits to terminally ill workers sacked before death is a further distress at a time when security for a family for the future should be protected.

This council resolves that in response to the TUC Dying to Work Campaign, this Council commits to signing up to the Dying to Work Voluntary Charter that sets out an agreed way in which their employees will be supported, protected and guided throughout their employment, following a terminal diagnosis.

The Charter states the following:

- We recognise that terminal illness requires support and understanding and not additional and avoidable stress and worry.
- Terminally ill workers will be secure in the knowledge that we will support them following their diagnosis and we recognise that, safe and reasonable work can help maintain dignity, offer a valuable distraction and can be therapeutic in itself.
- We will provide our employees with the security of work, peace of mind and the right to choose the best course of action for themselves and their families which helps them through this challenging period with dignity and without undue financial loss.
- We support the TUC's Dying to Work campaign so that all employees battling terminal illness have adequate employment protection and have their death in service benefits protected for the loved ones they leave behind.

An amendment was proposed by Councillor Haken, seconded by Councillor Flower:

That this Council is aware of the TUC Dying to Work Campaign and the associated Voluntary Charter which organisations are encouraged to endorse 'to help ensure peace of mind for any of their employees battling terminal illness'.

The Council resolves to note that the principles set out in the Charter have guided its approach to employees with terminal illness for some years now. Council employees can therefore take assurance both on the basis of that experience and through the Council's values and culture which have been regularly endorsed by all political groups.

After considerable debate it was further proposed to forward the amended resolution to the Member of Parliament for the High Peak.

When put to the meeting it was RESOLVED accordingly.

b) Bus Services Bill

It was moved by Councillor Stone and seconded by Councillor A. McKeown:

That this council notes:

1. That the Bus Services Bill currently passing through Parliament includes Clause 21 that will effectively "prohibit a local authority from forming a company for the purposes of providing a local bus service".
2. That the Localism Act (2011) provides general powers of competence to local authorities.

3. That municipal bus companies like Reading and Nottingham provide some of the best bus services in the country and have a successful track record of increasing bus passenger numbers and providing high quality bus services, with Nottingham winning this year's UK bus awards for best operator.
4. That polling by We Own It found that a majority of the public (57%) oppose clause 21, whilst just 22% support it. The opposition to Clause 21 is consistent across voters from all political parties.

This council believes:

1. Clause 21 contradicts the general powers of competence and the spirit of the Localism Act 2011.
2. If there is a need and a demand from their public, then Councils should be able to provide their own bus services
3. Should they wish, Councils should be legally able to follow the model developed by Reading and Nottingham.
4. Consequently, Clause 21 should be omitted from the Bus Services Bill.

This council resolves:

1. To write to Lord Ahmad and to call on the Department for Transport to omit Clause 21 from the final legislation
2. To write to Andrew Bingham MP to ask him to oppose clause 21 when the Bus Services Bill reaches the House of Commons and ask them to write to Lord Ahmad and the Department of Transport to raise concerns about Clause 21.
3. To work with any organisations such as We Own It to publicise our opposition to clause 21 in local media.

When put to the meeting the motion was declared lost.

The meeting concluded at 7.43 pm

MAYOR