

HORMEAD PARISH COUNCIL

Minutes of the Hormead Parish Council Meeting Thursday 16 November 2017 in the Meads Pavilion at 8pm

PRESENT: Cllr Jayne Denham, Chairman (JD); Cllr John Kilby (JK); Cllr Marty Kilby (MK);
Cllr Teresa Marks (TM); Cllr Matthew Reeves-Hairs (MRH)

11 members of the public

Clerk: Colin Marks, Clerk to the Parish Council

ACTION

The Chairman welcomed everyone and opened the meeting at 8pm.

17.132 Apologies for absence

1. Councillors: Cllr R Denham (unwell)
2. Others: Sgt Duncan Wallace

17.133 Declarations of Interest and Dispensations

1. **Declarations of Interest:** Cllr Teresa Marks: a DPI as wife of the Clerk in relation to his payments, as stated on the agenda; Cllr Matthew Reeves-Hairs: Chairman of the Village Hall Committee, as stated on the agenda.
2. **Dispensations** (i) It was noted that Cllr Teresa Marks has a dispensation to speak and vote on Council finance business in which she has a pecuniary interest as the wife of the Clerk, as stated on the agenda; (ii) To receive requests for dispensations: NONE
3. **To consider requests for dispensations:** NONE.

17.134 Minutes of the Parish Council Meeting held on 19 October 2017

It was **RESOLVED that the Minutes of the Parish Council Meeting held on 19 October were a true and accurate record.** The Chairman signed the Minutes.

JD/Clerk

17.135 Police Report: No report received

17.136 Chairman's announcements: None

17.137 PLANNING

1. New applications

3/17/2603/LBC The Thatched Cottage, Conduit Lane: Addition to existing single storey rear extension; alterations to roof of rear extension, insertion of new doors and windows.

RESOLVED : No objections

Clerk

3/17/2446/REM Land Adj to Elm Cottage, Hare Street: Approval of Reserved Matters following outline approval 3/17/1231/OUT in respect of access, appearance, landscaping, layout and scale for 3 dwellings.

RESOLVED : No objections

Clerk

3/17/2168/FUL Layston Farm, Hare Street: Replacement dwelling. It was **RESOLVED to make objections** on the following grounds:

1. The original proposal was to demolish the house, thereby improving sight lines by removing the hazardous obstacle it presented at the corner of the access road to the development. Although set back further, the proposed replacement building will significantly increase vehicular egress and ingress danger at what will in any case be a dangerous junction with the B1368.

2. The original proposal, with the house removed, presented plots 1 and 2 facing the road (B1368). This application will put a house in front of those plots, thereby removing the linear development requirement for it to be consistent with the linear nature of Hare Street village. This would be in violation of planning policies ENV1 and HSG7.

Clerk

2. Decision Notices

3/17/2234/PNHH Bluebell Cottage, Hare Street: Demolish conservatory and erect single storey rear extension - Max depth 5.485m; Max height 4.00m; Eaves height 3.7m. **PRIOR APPROVAL NOT REQUIRED**

3/17/1942/HH 17 Fayland Cottages, Hare Street: First floor rear extension and insertion of first floor window on flank elevation. **GRANTED**

UNAPPROVED DRAFT

3/17/1862/OUT Hare Street Garage: Outline planning permission: Demolish all existing structures; change of use of the site from mixed use of residential and commercial to wholly residential. Erect four dwellings: a terrace of 3 no. 3-bed properties and 1 no. detached 4-bed property (net gain of three dwellings). Provision for parking and creation of a single point of access onto the B1368. DECISION AWAITED

3/14/1624/CL Hillcrest, Hare Street: Certificate of Lawfulness for use as a dwelling house
DECISION AWAITED

3. Other Planning matters - Including any received too late to be included on the agenda:

1. Gt Hormead Conservation Area Appraisal: Public meeting to be held in January; date and venue are yet to be confirmed by EHC. The Pavilion is a possibility.

Clerk

17.138 FINANCE

1. Report of the Council's finances for October was received (Appendix A)

Finance Summary from 1 to 31 October:	£
Opening bank balance statement 1 October	17,250.56
Plus income 1 to 31 October	16.00
Minus expenditure 1 to 31 October	<u>1,901.72</u>
	15,364.84
Minus presented September cheques 1525, 26, 28, 34, 36, 40, 41	<u>1,417.30</u>
Balance available to Council at 31 October (cashbook)	13,947.54
Plus un-presented Oct cheques 1542, 1547, 1548	<u>858.90</u>
Bank balance: reconciled with statement at 30 September	<u>14,806.44</u>
Petty cash in hand	<u>50.00</u>

Accounts/bank statement reconciliation. It was noted that the Accounts sheet (Appendix A) and bank statement reconciled. It was unanimously **RESOLVED that the Accounts Statement be accepted.**

2. Verification of Accounts and Bank Statement. Cllr Reeves-Hairs, as a non-signatory member, signed the accounts sheet and bank statement reconciliation.

An accounts summary is published each month in the Minutes on the website.

Clerk

3. Performance to date against 2017/18 budget

The Clerk presented the actual financial position at 31 October against the total budget. Expenditure to date is £15,267 net vs £23,602 total budget. Income to date is £22,987 vs £22,565. The projected balance at year-end is £5,601 vs £5,922 budget. Since the last meeting it has become apparent that there may be significant costs incurred this year associated with the implementation of the General Data Protection Regulation. An unbudgeted, but entirely speculative, figure of £600 has been included at this time. This will be closely monitored as the year progresses. It was unanimously **RESOLVED to accept the report as presented.** An itemised budget report as at 31 October appears on the website.

Clerk

4. Donation to Benefice Good Neighbours: Following a discussion about a donation having not been made in recent years, it was **RESOLVED to donate £200 to Benefice Good Neighbours.**

Clerk

5. Payments. It was unanimously **RESOLVED to approve all the invoices presented for payment: (Appendices B1 and B2)**

Date	Payee	Item	£	Chq	Power
31/10	Clerk	Salary October	468.90	1548	LGA 1972 s112(1), (2A), & s151; LA 2011 s41
16/11	Clerk	Mileage etc Oct	40.08	1549	LGA 1972 s111
16/11	Clerk (cash)	Petty cash Oct	2.50	1550	LGA 1972 ss111, 114,140
16/11	SC Ruff	Litterpick to 3/11	260.00	1551	OSA 1906 s9 & s10
16/11	E.ON	Electric Aug-Nov	100.74	1552	LGA 1972 s133
16/11	Earthworms	Meads Oct-Nov	1,620.00	1553	LGA(MP)A 1976 s19
16/11	Benefice Good Neighbours	Donation	200.00	1554	LGA 1972 s137
Recoverable VAT included: £ 274.80					

Cheques were signed after the meeting.

Clerk

UNAPPROVED DRAFT

17.139 Correspondence

Five items of correspondence were noted as listed on the agenda:

- Hormead School: Response from Governors on outcome of PAN consultation
- Good Neighbours Scheme: Appeal for a donation (17.138.4)
- Parishioners: Concerns about notices being served to allotments tenants (17.140.1)
- Parishioners: Objections to planning application 3/17/2168/Layston Farm (17.137.1)
- HAPTC: Notice of Subscriptions for 2018/19

An late item of correspondence from a parishioner concerned about possible action being taken over speeding vehicles was also noted.

17.140 Special Interest Matters

1. Village Hall. Cllr Reeves-Hairs (Chairman of the VHM) reported:

- A new Highways project manager has taken over the yellow lining. As yet he has not responded to the Chairman. MRH
- The AGM was attended by one parishioner. There were no complaints.

2. Highways

- Wheelie bin speed aware stickers: There were only two responses to the Newsletter appeal for comments: 1 parishioner would like 3 stickers; 1 parishioner said the item in the Newsletter was too small. The Chairman agreed to ask the editor to again put the item in the next Newsletter, but larger and on the front page. Clerk/JD

3. Rights of Way - footpaths and byways

1. The PROW Countryside Officer's October report was received and noted.

4. Parishioners concerns and other matters

1. The Chairman recognised that most of the parishioners present wished to discuss the allotments. Clerk

At 8.35pm it was therefore **RESOLVED to suspend the meeting for public comments.**

Allotments tenants said they had been served notice by the landowner as to the termination of their tenancy. Various aspects of their tenancy arrangements were discussed. Many of the tenants had held their plots for many years. The parishioners asked the Parish Council if it would register the allotments as a community asset. It was **RESOLVED that the Clerk register the allotments as a Asset of Community Value,** Clerk
subject to specific information being provided by the current tenants.

Parishioners gave their email addresses to the Chairman for follow-up.

2. A parishioner from Great Hormead asked for comments on his forthcoming proposal to demolish and replace his house with 5 or 6 new houses and for the PC/Clerk to pass on any comments it received. The Council said it would respond to a planning application in the normal way as and when one was received. The parishioner also requested 2 speed aware bin stickers. Clerk

The meeting was called to order and resumed at 9.10pm

17.141 Meads field and buildings

1. **Pavilion: Shower room ceiling:** Work is in hand. RW
2. **Flood incident resolution:** Work is in hand RW
3. **Other matters:** Nothing to report

17.142 General Data Protection Regulations (GDPR), May 2018

The Clerk presented the following report:

I have attended an HAPTC workshop and have spoken extensively with others in the sector in order to understand what the implications and impact of the new legislation will mean for parish councils. At the present time, NALC and HAPTC are working to clarify the position, including with the Government. Whatever finally emerges, it seems certain that there will be significant extra administration pressures on clerks, particularly in smaller councils where there may be little or no room to spread that burden. There may also have to be new IT arrangements for councillors and staff.

UNAPPROVED DRAFT

The main points emerging at the moment (by no means a comprehensive list) are:

- GDPR has passed into law but will not be enacted until 25 May 2018. All procedures must be in place by that date for councils to operate within the new Regulations.
- Ownership of personal data (as defined under the 1998 DPA) will be reversed and revert back to the individual. Councils must have either express permission or a demonstrable right to hold personal data and must protect it from loss.
- Councils must, by law, register with the Information Commissioner (ICO) as the Data Controller (DC). An individual within the council (usually the clerk) may be the administrator. Individual councillors may also act as Data Controllers – TBC.
- A Data Processor is any natural or legal person, public authority, agency or any other body which processes personal data on behalf of the Data Controller (eg, website provider, accountants). It has yet to be clarified whether councillors and officers who receive and send emails or hard copies of documents in the course of fulfilling their duties are regarded as Data Controllers – as with EHC & HCC – or Date Processors.
- All public organisations are required to engage a Data Protection Officer (DPO) who is responsible for overseeing, policing, and driving Data Protection policy. Although the DPO may be a council member, that could raise serious issues of conflicts of interest.
- There must be a contract in place between the Data Controller and the DPO.
- Consent: The burden of truth is reversed and councils will have to be able prove they have been given consent to hold every piece of personal data, from whatever source, or demonstrate that they have an over-riding legal obligation to hold it. The consent must be given by a specific, verifiable, action (ie not by a tick box or by a default option).
- Financial penalties: Heavy fines will be levied for data breaches. The fines will be significantly increased where there is a lack of proper documentation and evidence of compliance and/or where there is the inability to demonstrate a legal reason for holding the data.
- Security in the processing of data will be paramount and therefore the encryption of emails may become necessary. This may pose problems where the clerk and councillors are running different systems. One suggestion is that everyone runs Microsoft 365 Office Pro (which has in-built encryption capability). The problem that many councillors use their own personal computers and may not be willing or able to run 365, has to be addressed. Potential IT costs could be involved. A dropbox or similar system may have to be used for documents.
- HAPTC are currently working with an organisation called DPO Ltd to provide a DPO service for councils. They would take on a lot of the burden of responsibility. Working in blocks of similar-size councils, the cost to Hornead PC to buying into the scheme is expected to be around £800 for the first year and £400 for subsequent years.
- The clerk will be required to undergo up to 3 days training as well as to provide a comprehensive list of the electronic and hard copy data sets held by the council in order to set up the arrangement. Much of this will have to be done in the current financial year (not budgeted!).
- Some things we are advised to do with some urgency:
 - Get a budget (!!)
 - Get expert advice – at present HAPTC/NALC and through them, DPO Ltd
 - Appoint an appropriate person to act as our Data Protection Officer on an ongoing basis
 - Get staff trained
 - Carry out an 'Impact Assessment' of the datasets we are responsible for
 - Identify each of the Data Processors we use, and enter into a written contract with them
 - Review your data security practices and data protection training

The Clerk said he had spoken to Zurich Municipal about insurance implications. At present they do not have any further advice on liability other than that which is applied under current Data Protection legislation.

This information will be updated as a clearer picture emerges over the next few months. There was a view expressed that the Council should not act in haste since the practical application of GDPR could change. The Clerk said that all the information being put out by the Information

UNAPPROVED DRAFT

Commissioner and professional bodies is urging organisations to start the ball rolling now because of the amount of work that has to be done before May. A councillor suggested that a heavy contingency be included in the 2018/19 budget. It was **RESOLVED to note the report together with the additional work and potential cost implications.**

Clerk/ALL

17.143 Publications Scheme

The draft Publications Scheme, prepared by the Clerk and based on the ICO model, was received. For Data Protection compliance, it was **RESOLVED to adopt the Publications Scheme as drafted.**

Clerk

17.144 Late items and items for future agendas

1. Late items: None received

2. Items for future agendas:

- 2018/19 Budget and Precept (January meeting)
- Audit arrangements for 2017/18.
- To consider new pavilion fire extinguishers and Fire RA
- Pavilion RA
- New play area equipment/zip wire

Clerk/ALL
Clerk
Clerk/MRH
Clerk/MRH
Clerk/TM

Suspension of meeting for public comments

In view of the earlier suspension under agenda item 17.140.4, it was agreed not to suspend the meeting again.

17.145 Date of next Meeting

The Chairman proposed that no meeting be held in December and that members had a meal together instead. It was suggested that two volunteer parishioners who had done a great deal of unpaid work for the parish be invited. It was **RESOLVED that the next Parish Council meeting be held on 18th January 2018 at 8pm in the pavilion.**

JD/Clerk

The Chairman thanked everyone for attending and closed the meeting at 9.30pm

Signed..... Dated.....

