

MINUTES

OF THE MEETING HELD AT HOPE BOWDLER VILLAGE HALL

Monday 20th November 2017 at 7.30pm

091/17 - Present & Apologies for absence

Present

Cllr. G Watts - Chairman
Cllr. T Madeley
Cllr. S Jones
Cllr. C Pugh
Cllr. B Orme
Cllr. L Gray,

Apologies for absence were accepted from:

Unitary Cllr. C Motley and Cllr. P Jenkins

In Attendance

Clerk, Mrs J de Rusett and four members of the public.

092/17 - Declarations of Interest relating to this meeting.

Members are requested to declare any Disclosable Pecuniary or Personal Interests they may have in matters to be considered at this meeting in accordance with the Localism Act 2011 s32 and The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

Cllr. Orme declared an interest in Agenda Item 6.1 – planning application 17/05030/FUL and left the room whilst it was discussed.

093/17 – Public question time

Four members of the public attended the meeting. Two attended in connection with planning application 17/05225/FUL and assisted the councillors with that application: Mr & Mrs Wilcox attended to raise a pre-planning enquiry with the councillors relating to land in Ticklerton.

094/17 - Approval of Minutes of the meeting held on 18th September 2017

The Minutes of the meeting on 18th September 2017 had been circulated and considered by the councillors. No objections were raised to them.

Cllr. Jones **proposed** that the Minutes be approved by the members.

Proposal **seconded** by Cllr. Madeley

Vote: the members present approved the Minutes and they were duly signed by the Chairman as being a true record of the meeting.

095/17: Matters arising from the Minutes of the 18th September 2017 not dealt with elsewhere on the Agenda

No matters were raised.

096/17 – Planning applications

096/17/1 - 17/05030/FUL. Re submission of application by Mr & Mrs B Orme to raise existing roof to create first floor bedroom, shower room & storage; conversion of existing loft storage areas to create two bedrooms; alterations to ground floor to create entrance hall, at 1 Wolverton Manor, Wolverton, SY6 6RR.

Cllr. Orme assisted the members by explaining the application and then left the room whilst it was considered.

Having examined the plans and considered the application Cllr. Pugh **proposed** that the parish council should support the application and raise no objections to it.

Proposal seconded by Cllr. Madeley

Vote: the members voted unanimously to support the application and raise no objections to it.

096/17/2 – 17/05225/FUL - Partly retrospective application by Mr Sam Hyde of Hazler Farm, Hope Bowdler for the erection of an affordable dwelling and detached garage/outbuilding and formation of a vehicular access on land opposite Yules Bank, Soudley.

Mr Hyde attended and explained that he had obtained full planning permission for this dwelling in 2009 and Reserved Matters consent in 2010. Due to a misunderstanding about time limits he had only started building the property in 2017 and was then told by Shropshire Council that his planning permission had lapsed and he had to re-apply. He advised the only difference between his original plans and the current ones was the garage had been moved to a more convenient position, nearer the house.

The councillors considered the application. They had raised no objection to the original application and concluded they had no reason to object to this one.

Cllr. Jones **proposed** that the parish council supports the application and raise no objections to it.

Proposal seconded by the Chairman

Vote: The council voted unanimously to support the application and to raise no objections to it.

096/17/3 - Completion of a “Request for potential confirmation of a local connection” for Mr Sam Hyde (above planning applicant – 17/05225/FUL). As Mr. Hyde was seeking permission to build an affordable home he was required to confirm his local connection to the area.

The councillors considered the criteria to establish a local connection and were able to confirm that Mr Hyde fulfilled the criteria. It was therefore agreed that the Clerk would write to the Rural Housing Enablement Officer to confirm Mr Hyde’s local connection.

097/17 – Report from the Clerk concerning new General Data Protection Regulations (“GDPR”) legislation

With 80 others I attended a seminar on 8th November on the GDPR given by Robert Montgomery, the Head of the Audit and Governance Team at Telford and Wrekin Council. The GDPR is a new raft of legislation which is replacing the Data Protection Act of 1998, the latter being out of date due to all the new technologies by which data can be processed and transmitted. It also has some new categories relating to sensitive personal data (criminal offences, sexual orientation etc). The GDPR is a vast piece of complicated legislation – it has 11 chapters which contain 99 main articles, plus sub-clauses and recitals – and it is coming in

to force on the 25th May 2018 by which time we are all expected to have implemented the requirements of the Act, understand it and are ready to go. It is to be overseen by an Information Commission Officer.

The Act applies to all public authorities, which includes parish councils. Any public authority which becomes aware of having committed a breach of the GDPR must immediately report it to the ICO: failure to report a breach can lead to a fine. Equally a breach of the GDPR can lead to a fine. These fines are not nominal. Under the DPA 1998 Telford and Wrekin were fined £78,000 for a breach: the fines proposed by the GDPR can reach in to the millions, so this is something we have to take seriously.

Basically, as I understand it, the following steps have to be taken by 25th May 2018:

The parish council has to nominate a co-ordinator who will be called the Data Protection Officer – DPO.

The DPO must have expert knowledge of Data Protection law and must carry out an annual audit of the parish council's data protection systems.

The DPO must set up all the procedures and system needed to comply with the GDPR, and must be able to demonstrate that they have:

- Expert knowledge of the GDPR
- Have organised staff training
- Have produced policies and procedures relating to GDPR
- Have carried out a data protection risk assessment
- Have adapted their IT with the necessary fire-walls, encryption and passwords etc to ensure data protection
- Have set up and maintained an Information Asset Register

Mr Montgomery was asked if the Clerk can be the DPO.

He responded there is no prohibition in the GDPR on the Clerk being the DPO, but the Clerk must have expert knowledge of data protection law, must have the ability to undertake GDPR tasks – and must ensure that their other work does not bring them into a conflict of interest situation with the GDPR requirements. He felt it is better for the DPO position to be outsourced to someone who has the necessary knowledge.

He was asked to suggest who might take this on. He responded that there will be many people touting to take on the DPO role: indeed a whole new cottage industry will spring up. He and Telford and Wrekin Council are offering both training - £42.50 per hour – and also are establishing a DPO service to local schools and they are willing to receive expressions of interest from parish councils.

He quoted £2,000 to set up all the necessary systems, and then £1,000 pa. to operate as the parish council's DPO.

SALC are actively negotiating with the government to have a more proportionate set of regulations for parish councils and other small bodies but the government's response to date is not encouraging.

We are going to have to build a substantial figure in to our 2018/2019 Precept budget to deal with all this.

This issue was then discussed further when the initial consideration of the draft 2018/2019 Precept Budget was dealt with.

098/17 - Minor Highways and Environmental matters

The following issues both from previous Minutes and new were raised:

086/17/3: Cllr. Pugh had reported on damage to the highway between Whitefields Farm and Eaton: the side of the road is collapsing and the tarmac has broken up. There are also overhanging trees in Soudley and by Pheasant Cottage at Birtley. The Clerk had reported these matters to Mr Keyland of Highways. He advised required repairs to Darby Lane were noted but due to budget constraints are unlikely to be carried out until next year. So far as over-hanging trees are concerned, he advised these are the responsibility of the landowner. It was agreed the Clerk will diarize this issue and it will be re-visited next spring.

086/17/4 – Stiles at Eaton. The Clerk advised that the Countryside Team led Mr David Hardwick and had not only replaced the two stiles by St. Edith's church with kissing gates, but had also replaced two stiles on the footpath leading to New Hall.

The Clerk advised she had been told that Herefordshire County Council have withdrawn the Environmental Grant, so the work done under this Grant will have to be funded via the Precept instead and in 2019 would also be withdrawing any support for the maintenance of footpaths. We cannot be sure that Shropshire Council will not follow suit. The issue of the Environmental Grant will be considered in the draft Precept Budget. The footpaths issue was debated and it was agreed it would be prudent to get any necessary footpath works done as soon as possible. The Chairman is aware of two stiles in Hope Bowdler which need attention and will give the Clerk a map of their location. Cllr. Jones agreed to walk some footpaths in Ticklerton which may need new gates to replace broken stiles and he will report to the next meeting.

The Clerk was asked to contact Kinch Parry Limited to instruct them to carry out their annual JCB work ditch and layby clearing around the parish.

099/17 - Correspondence and Communications

The councillors considered the following items of correspondence:

Correspondence List for meeting on 20th November 2017

1. Parish Council's Response to the S.C. Communities Committee – Environmental Maintenance Grant Task & Finish Committee. Receipt acknowledged.
2. Extract from the Minutes of the LJC meeting of 19th October 2017.
3. emails to/from the Clerk and Mr D Hardwick and Clerk/council members concerning maintenance of footpaths & replacement of stiles in the parish.
4. email headed "Library News" concerning Church Stretton library consultation.
5. Letter Pensions Regular to Clerk advising that pension contributions will be rising. (Does not affect council as no pensions are payable)
6. Letter from auditor Mrs S Hackett estimating her 2018/2019 audit fees as £110
7. Notification from Planning Dept. re 17/02022/REM – re approval of reserved matters pursuant to 16/00918/OUT – erection of an agricultural worker's dwelling.

Permission granted 26.09.17

8. Consultation request from Prof. J Whitelegg re “The future of rural transport services in Shropshire” - response required by 8.12.17
9. Request from SC’s Housing and Communities team for a “Local Connection” letter of support for Mr S Hyde re planning application 17/05225/FUL.
10. Notification from Shropshire Council that the Parish Council has been charged a £200.00 fee for the uncontested election in May 2017. (Payable in April 2018)

The Chairman was concerned to note (Item 10) that the parish council is being charged a fee of £200 for an uncontested election. He asked the Clerk to advise Cllr. Motley that the parish council would not pay this fee and asked her to take it up with the Finance Department.

100/17 - Finance

100/17/1 - Finance Report for October/November 2017

Precept Funds - Balance b/fwd. from September 2017 **£3,703.21**

LESS: Precept cheques authorised for payment on 20th November 2017

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|---|---------|
| 1. Clerk’s net salary for October/November 2017 | £252.92 |
| 2. HMRC – PAYE on Clerk’s Oct./Nov. 2017 salary | £ 62.20 |

3. Expenses incurred by the Clerk in October/November 2017 in connection with Parish Council business:

- Contribution towards October & November telephone & Broadband expenses £27.50
(This is £7.50 more than the usual £10.00 per month as BT surcharged £19.80 on Broadband usage in Sept. probably due to SALC sending two items which were in excess of 80 pages each).
- Postage stamps £ 4.66
- 1 x HP364 XP black ink cartridge £10.00
- Electricity for meeting in Hope Bowdler Village Hall – 20.11.17 £ 3.00
- Travelling expenses claimed at 45p per mile:
08.11.17 – to Shirehall for Data Protection Seminar - 72 miles but cost shared with Diddlebury PC so 36 miles claimed.

20.11.17 Hope Bowdler V.H for PC meeting			
45 miles			
Total mileage claimed – 81 miles	£36.45		
Total of Clerk's Oct/November expenses	£81.61	£ 81.61	
		£396.73	£ 396.73
	Balance of Precept c/fwd to January 2018		<u>£3,306.48</u>

Ring Fenced Funds

1. Highways & Environmental Grant

Balance of Highways & Environmental Grant b/fwd £4,114.24
- No claims made in October or November

2. Transparency Code Grant

Balance of Transparency Code grant b/fwd from Sept. £932.40

Less:

- C.M. Smith (Stretton Internet) - website administration

INV. 201710-381 - £30.00

INV. 201711-384 - £15.00

TOTAL £45.00 £ 45.00

Balance of Transparency Code c/fwd £887.40 £ 887.40

TOTAL FUNDS HELD BY PARISH COUNCIL

following authorisation of the above cheques £8,308.12

Authorisation of Precept and Transparency Code Grant cheques as above

Proposed by: The Chairman

Seconded by Cllr. Jones

Vote: Unanimous

100/17/2 - Bank Statement/Cash Book reconciliation

HSBC Bank Statements numbered 72 and 73 were presented to members to verify the Clerk's bank statements/cash book reconciliation as at 18.11.17. Cllr. Jones duly checked the reconciliation and verified it.

100/17/3 – Initial consideration of the 2018/2019 Precept Budget

The Clerk had circulated a draft Precept Budget prior to the meeting. The budget has to be finalised and authorised at the meeting on 15th January 2018. The draft budget indicated that a figure of £4,180.00 would be required to cover the administrative costs of the parish council for 2018/2019, but this did not include any review of the Clerk's salary. Two further matters for the members' consideration are:

1. How much to build in to the Precept Budget in the event that the Environmental Grant will no longer be paid by Shropshire Council.
2. How much to build in to the Precept Budget to deal with the General Data Protection Regulations which are coming in to force on 25th May 2018

On Item 1, it was agreed that the council will wait until the meeting on 15th January 2018 to reach a decision on this, by which time the future of this grant may have become clearer. The council is holding the ring-fenced sum of £4,114,24, but from this the JCB works will have to be deducted.

Item 2: The only estimate for the cost of implementing the GDPR available to the council at this meeting was £3,000. The Chairman expressed the view that to ask the parish council to in effect double its Precept to accommodate a vast piece of legislation which was neither designed nor necessary for small parish councils was simply ludicrous. The Clerk was instructed to write to Cllr. Motley asking her to take this matter up with Shropshire Council, to ensure parish councils were either exempted from this legislation, or the GDPR was administered at its expense by Shropshire Council, failing which the members were minded to resign en masse and Shropshire Council will have to take over the administration of the parish council.

101/17 – Consideration of the Place Plan Review.

The Clerk had circulated a draft response from the parish council to the above review, which was considered and amended by the members. The final draft was agreed by the members and the Chairman signed it. The Clerk will forward it to Cllr. Motley for her signature and a request she lodges it with Shropshire Council. A copy will be put on the website for the public to view

102/17 - Questions for the Chairman

No questions were raised with the Chairman.

There being no further business to conduct, the Chairman closed the meeting at 9.15pm

Date & Venue of the next Parish Council meeting
Monday 15th January 2018 at Ticklerton Village Hall

MINUTES SIGNED BY: Graham Watts

DATED: 15th January 2018