

**STOKE BY NAYLAND PARISH COUNCIL**  
**MINUTES OF THE MEETING HELD ON 6 MARCH 2018 AT 7.30PM**

- Present:** Isabelle Reece, Chairman (IR)  
Jeremy Bloomfield, Vice-Chairman (JB)  
Adam Sedgwick (AS)  
Martin Nielsen (MN)  
Andrew Collins (AC)  
Sean Fry (SF)  
Nicki Bray (NB)  
Vivienne Klimowicz (VK)  
Stevie Bezencenet (SB) (7.30-9.35)
- In attendance:** James Dark, Parish Clerk (JD), BDC councillor Melanie Barrett (MB) (7.30-8.20), SCC councillor James Finch (7.30-8.30), SCC West Area Rights of Way Manager Glyn French (GF) (7.30-8.10)
- Public present:** 17 members of the public (7.30-8.05)
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**18.3.1 APOLOGIES FOR ABSENCE**

None

**18.3.2 DECLARATIONS OF INTEREST IN ANY AGENDA ITEM**

None declared.

**18.3.3 PUBLIC FORUM**

Members of the public expressed concern over hard surfacing and widening work on the bridleway to Beacham's Farm. They asked GF if SCC planned to take any enforcement action to require the owner of Beacham's Farm to restore the route to its previous condition. GF replied that he did not believe enforcement action would be practical at this time because:

- SCC is unclear whether any offence has been committed
- It would cause less damage to the bridleway if a hard surface is in place during construction work on the Beacham's Farm site.

Responding to requests from parish council members and the public, he committed to:

- Clarify before the May parish council meeting whether SCC could legally require the owner of Beacham's Farm to remove the hard surface laid on the bridleway
- Act on reports that sharp objects had been left on the bridleway as a result of surfacing work
- Hold discussions with the construction contractors on working methods that would prevent conflicting vehicle movements on the route, and copy the parish council in to related emails
- Minimise closure of the bridleway to the public during construction work in line with the SCC notice issued before the meeting.

**18.3.4 MINUTES**

- 18.3.4.1** The minutes of the meeting held 9 January 2018 were approved and signed.

**18.3.5 REPORTS OF COUNTY & DISTRICT COUNCILLORS**

**18.3.5.1 District councillor's report**

JB asked MB about BDC's progress in designating a suitable five-year land supply. MB reported that BDC is considering the matter as part of the consultation on the Draft Local Plan.

With reference to issues raised in the public forum and the parish council's wider concerns, VK asked MB if any quality assurance is in place for BDC's planning officers to take proper account of national guidelines on AONBs when considering applications. MB replied that she would raise the matter with the appropriate BDC lead councillor.

SF asked MB to look into how long it would take for BDC's website to show historic information on S106 agreements rather than a holding page.

### **18.3.5.2 County councillor's report**

#### **18.3.5.2.1 Highways**

JF reported that work on the 20mph zone is expected to begin in approximately three months and that the clerk would receive a firm date as soon as possible.

JF said he would pursue the council's request for action on highways issues, which SCC had failed to act on during his absence from work.

**Action:** VK to provide JF with an updated report on highways issues for SCC to address.

**Action:** IR to complete the SCC Highways 'Self-Help Survey'.

#### **18.3.5.2.1 School travel entitlement consultation**

JF emphasised that SCC's consultation on options to cut the cost of providing school transport entitlements is a genuine exercise and that SCC has not yet made a decision on any changes. He told the meeting that one of the consultation's aims is to understand in detail how local areas could be affected and assess potential local solutions. He had forwarded a note from the parish council on some of the potential local impacts to SCC officers dealing with the consultation. Following JF's comments that SCC would take account of experience in other counties, the clerk highlighted the situation in Essex. It suggests that SCC's proposed changes to mainstream school transport entitlement may result in very low savings or cost rises, and create risks to existing efficient arrangements in some areas. JF assured the meeting that he had challenged the SCC team dealing with the consultation to examine these exact issues.

### **18.3.6 FINANCIAL MATTERS**

#### **18.3.6.1 RFO's report**

Members received the RFO's report and were satisfied it was a correct record of the PC's financial position.

#### **18.3.6.2 Orders requested for approval**

It was agreed to approve orders totalling £1124.44.

#### **18.3.6.3 2018-19 budget**

The council discussed the final budget proposal, particularly how much of the approved PWLB loan should be drawn down. Members noted that the loan could be paid back, in part or full, at any time in line with the council's financial position. It was agreed that £5,000 would be a prudent sum to draw down in order to provide sufficient general reserves. In addition, it was agreed to allocate £200 for recalibrating the speed gun.

**With these amendments, it was agreed that the draft budget should be approved.**

**Action:** Clerk to draw down £5,000 from the PWLB loan.

#### **18.3.6.4 Review of internal control, financial risk assessment, asset risk assessment and asset register**

The statement of internal control was reviewed, approved and signed.

The financial risk assessment, including updates proposed by the clerk, was reviewed and approved.

The asset register was reviewed and approved.

It was noted that the asset risk assessment did not refer specifically to the section of The Downs path closest to the village. It was agreed that the risk assessment for this part of the path should be 4x3. AS pointed out that the parish council would need an SCC specification to install a handrail here, and that SCC has not provided it despite repeated requests. With these inclusions, the asset risk assessment was approved.

**Action:** Clerk to make a further request to SCC for the specification to install a handrail.

### **18.3.7 STANDING ORDERS REVIEW**

A proposed update to the Standing Orders and Financial Regulations circulated before the meeting was approved.

**Action:** Clerk to put revised Standing Orders and Financial Regulations on the website.

### **18.3.8 HOUSING NEEDS SURVEY/NEIGHBOURHOOD PLAN**

Approval of CHF funding to carry out the HNS had been circulated before the meeting. AS reiterated that the timing and arrangement of the survey would need to be discussed with Nayland Parish Council.

The meeting considered the Neighbourhood Plan Working Party's (NPWP) proposals for consulting the community on the development of the Neighbourhood Plan. AS agreed to attend the next NPWP meeting to discuss how to align work on the Neighbourhood Plan and HNS effectively. MN and VK agreed to attend the next NPWP meeting to provide input on engagement with businesses.

It was agreed to consult parish organisations on the basis set out in the NPWP report.

### **18.3.9 MEMBERSHIP OF BAPTC**

The clerk informed the meeting that there is no joining fee but, as guidance, BAPTC recommends that members may wish to contribute £50 per year. It was agreed to join BAPTC and contribute this sum through an S137 grant. MN confirmed that he would take over from SB as the parish council's representative to BAPTC.

SB reported that BAPTC meetings had been informative and purposeful. JB reported that attendance at SALC area meetings is diminishing. Councillors considered that SALC membership has benefits but further discussion on whether it provides value for money would be justified.

**Action:** Clerk to arrange for the parish council to join BAPTC.

**Action:** Clerk to provide a short paper on the benefits and costs of SALC membership to inform a discussion at the May parish council meeting.

### **18.3.10 APPOINTMENT OF A DATA PROTECTION OFFICER**

JB gave an overview of the purpose of the new General Data Protection Regulations, their requirements, the need to appoint a Data Protection Officer and the DPO's role. The overview was based on information supplied by SALC and NALC and JB's study of the regulations. JB recommended that, given the relatively low level data the parish council controls and processes, it would not be value for money to use the external DPO service the clerk had reported on at the December meeting.

In response to members' questions, the clerk updated the meeting on:

- The service the external DPO provider could offer
- Some of the impacts GDPR could have on the way councils operate as outlined by the external provider
- Legal advice from SALC/NALC that the clerk of a small parish council can not be the DPO, and that a councillor would not be sufficiently independent.

Members questioned whether some of the potential changes and new processes outlined by the external provider may be excessive for a small council.

JB reported that DPO appointment had been discussed at the SALC area meeting on 5 March and that the only barrier to a councillor being appointed related to data protection complaints from the public. Members considered that the issue of a DPO-councillor's independence in these circumstances could be dealt with through the council's Code of Conduct and data protection and related policies.

In response to questions from members, JB said he would be willing to act as the council's DPO. He reiterated that changes to the way the clerk and councillors collect, store and use data will be necessary under GDPR, and these requirements would need to be applied carefully for new projects such as the HNS, Neighbourhood Plan and Community Emergency Plan. The clerk reiterated that the council would need new data protection policies, breach procedures and a privacy notice, and that progress should be made towards implementing them by the time GDPR comes into force on May 25.

**Following this discussion, it was agreed to appoint JB as the council's DPO and review the arrangement after six months.**

**Action:** JB to start work on developing policies and procedures to comply with GDPR and advise the clerk and councillors.

**Action:** Clerk to investigate any new insurance requirements associated with GDPR.

### **18.3.11 COUNCILLORS' AND CLERK'S REPORTS**

#### **18.3.11.1 Matters discussed at planning committee**

JB reported that no matters of note were discussed other than Beacham's Farm. The committee had agreed to take legal advice on potential maladministration by BDC and SCC on this matter. Full details are recorded in the planning committee minutes.

#### **18.3.11.2 Undergrounding Update**

AS presented the key points from his discussions with UKPN and the AONB Project in January and February. He highlighted that:

- Work on the project could start sooner than previously expected, potentially next year
- The project could involve removal of UKPN poles on which some streetlights are mounted – the process and budget for retaining these lights would need to be considered
- Expansion of the project – including removal of poles in the Village Green area and approaching BT with a view to its wires being buried on the back of UKPN works.

#### **18.3.11.3 No Parking Sign on Village Green**

SB reported that she would discuss the matter with the owners of the property concerned when they move in.

#### **18.3.11.4 Clipt Bush Corner**

VK reported that a wooden post had been dislodged.

AC confirmed that he is investigating a plastic grit bin for Clipt Bush Corner.

**Action:** JB to reinstate wooden post.

#### **18.3.11.5 Streetlighting Project**

The clerk reported that SCC had not yet responded to requests for a date when work would start, and that he would continue to chase the matter.

#### **18.3.11.6 Community Emergency Plan**

It was agreed that consultation on the development of the CEP should be integrated with the forthcoming Neighbourhood Plan and HNS consultation process, and that a working party should be formed to take forward the CEP.

#### **18.3.11.7 Bottlebank**

**Action:** AC to ask the manager of The Angel whether he would be willing to allow the bottlebank to be returned to The Angel car park.

#### **18.3.11.8 Reports from other parish organisations**

##### **18.3.11.8.1 Dog litter bin**

The council agreed to a request from the Recreation Ground Committee to move the dog litter bin to the grass opposite the tennis courts.

**Action:** Clerk to request quotes to move the dog litter to the area requested by the committee.

#### **18.3.11.8.2 Village Hall**

The council agreed to the Village Hall Committee's request that the clerk should ask Anglian Water for drainage and sewerage plans, on condition there would be no cost to the council. Potentially, this could save the Village Hall the cost of a £1,000 site visit.

**Action:** Clerk to request plans from Anglian Water.

#### **18.3.12 CLERK AND CHAIRMAN'S CORRESPONDENCE**

The chairman asked for views on whether the parish council should assist a company interested in setting up a 10k run in the village. A report on a meeting with the company had previously been circulated outlining relevant considerations. It was agreed that Nayland Parish Council should be approached to discuss their experience of a similar event before making a decision. The clerk reported on correspondence from St Nicholas Hospice on the possibility of organising a carols event in the village. It was agreed that the parish council would not support the request as it could impact the PCC's carols fundraising event.

Other correspondence from residents was discussed. Members considered that the issues raised were matters which the parish council is not responsible for. The clerk would write to residents advising them of this, and where appropriate, direct them to the relevant organisation which may be able to assist them.

#### **18.3.13 ITEMS FOR REPORT IN COMMUNITY NEWSLETTER**

- Rules on permitted development (AS to write)
- Budgeting process (AS to write)
- Neighbourhood Plan development/HNS/CEP

#### **18.3.14 OUTSTANDING ISSUES/FUTURE AGENDA ITEMS**

- Value for money of SALC membership
- GDPR preparations
- No Parking sign for the Village Green
- Bottlebank
- SCC action to address issues in the traffic report
- Footpaths report and grasscutting arrangements

#### **18.3.15 DATE OF NEXT MEETING**

Tuesday 1 May at 7.30pm in the Village Hall.

The chairman closed the meeting at 10.10pm.