



PORINGLAND PARISH COUNCIL

Poringland Community Centre, Overtons Way, Poringland, Norfolk, NR14 7WB
Tel: 01508 492182 Email: clerk@poringlandparishcouncil.gov.uk

Clerk to the Council: Mrs Catherine Moore BSc FSLCC
Chairman: Mr Tim Boucher



NOTICE OF MEETING AND SUMMONS TO ATTEND

You are hereby summoned to attend a meeting of Poringland Parish Council at 7pm on
Wednesday 29th November 2017 at Poringland Community Centre.

The business to be transacted at the meeting is as follows:-

- 1. Attendance and Apologies for Absence**
- 2. Declarations of interest for items on the agenda and applications for dispensations**

Members are invited to declare personal or pecuniary (prejudicial) interests in any items on the agenda. It is a requirement of the Parish Council (Code of Conduct) that declarations from a Member include the nature of the interest and whether it is pecuniary or an interest other than pecuniary. In the case of a pecuniary interest being declared and no dispensation being sought or approved, the member must disclose the interest and withdraw from the meeting when the item is discussed. If any Member has made a public comment and/or reached a predetermined view prior to attending a meeting it could invalidate the Council's decision, therefore the Member concerned cannot take part in any discussion and an interest must be recorded.
- 3. Adjournment for public participation relating to Burgate Lane only**
- 4. Planning**
 - a. Applications Received
 - i. 2017/2652 Land south of Burgate Lane: Outline planning application for up to 165 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Burgate Lane. All matters reserved except for means of access.
- 5. Minutes of the meeting held on 25th October 2017**
- 6. Update on matters arising from the minutes**
 - a. Community Governance Review - Update
 - b. Appointment of Neighbourhood Plan Consultant
 - c. Poringland Library Open Plus Works
 - d. Tree Preservation Order Applications – Update
 - e. Rosebery Park S106 Transfer - Update
- 7. Report from the Chairman**
 - a. Neighbourhood Plan Public Involvement Event 4th December 2017
- 8. Adjournment for public participation, district and county councillors, and councillors with any pecuniary interests**
 - a. District Councillors (7 mins total)
 - b. County Councillor (5 mins total)
 - c. Public Participation (15 mins total)
- 9. Planning**
 - a. Applications Received
 - i. 2017/2416 91 Cawstons Meadow: Garden room extension to rear, side extension and garage conversion..
 - ii. 2017/2485 Land west of Octagon Farm, Bixley: Variation of Condition 2 of the Approval of Reserved Matters (2015/2326), that forms part of Outline Planning

Permission (2012/0405/O) (Application for outline planning permission for mixed use development for community, residential and commercial uses and external works. A new electricity substation, pumping station, SUDS (including pond) and open spaces are included in the proposal).

- iii. 2017/2595 125 The Street: 2no Garages.
- b. Planning Decisions
 - i. 2017/1835 Land west of The Ridings: Outline application for 32no. dwellings with all matters reserved bar access. **REFUSED**
 - ii. 2017/2006 35 The Street: Erection of replacement bungalow and new bungalow on rear plot. **APPROVED**
 - iii. 2017/2168 Unit 4, Overtons Way: Change of use to D1 for the use of Physiotherapy, Podiatry services. **APPROVED**
 - iv. 2017/2187 Land north of Stoke Road: Non-material amendment application following 2016/2388/F – change to roof materials. **APPROVED**
 - v. 2017/2499 32 Cawstons Meadow: Under an exception of the TPO – Fell Oak tree due to Honey Fungus. **EXEMPT TREE WORKS**

10. Correspondence and Consultations

- a. Disqualification Criteria for Councillors: Consultation

11. Finance

- a. Receipts, payments and bank reconciliation for October 2017
- b. Accounts for payment

12. Committee and Advisory Group Reports and Recommendations

- a. Neighbourhood Plan Committee Report
- b. Finance and Governance Advisory Group Report and Recommendations – 01.11.17
- c. Finance and Governance Advisory Group Report and Recommendations – 22.11.17

13. Other matters

- a. Co-option to Neighbourhood Plan Committee
- b. Play Area Markings Project – funding final £325
- c. Appointment of Lead Consultant for Community Land Project
- d. Press and Media Policy
- e. Briefing: New General Data Protection Regulation

14. Exclusion of the Press and Public under the Public Bodies (Admission to Meetings) Act 1960 to discuss the following matter:

- a. Report and Recommendations of the HR Advisory Group

15. Date of next Parish Council meeting: Wednesday 29th November 2017, 7pm, Poringland Community Centre

Dated the 23rd November 2017

Clerk.....

Minutes of the Meeting of Poringland Parish Council
Wednesday 25th October 2017 7.30pm Poringland Community Centre

Present: David Gooderham (Vice Chairman in the Chair)
John Henson
David Hewer
Jenny Kereama-Ellis
James Landshoft
John Overton
Trevor Spruce
Chris Walker
Catherine Moore (Parish Clerk)

Also attended: 9 members of the public in attendance.

1. Apologies

Apologies for absence were received and accepted from Tim Boucher, Steve Aspin and Lisa Neal, proposed by Chris Walker, seconded by John Henson, all in favour.

2. Declarations of Interest and Applications for Dispensation

John Overton declared an interest in all planning matters as he was a statutory consultee in his role as district councillor.

3. Minutes of the meeting held on 27th September 2017

The minutes of the meeting held on 27th September were considered. An amendment was made to page 2, changing the word 'duelled' to 'dualled'. With this amendment the minutes were **agreed**, proposed by John Henson, seconded by Chris Walker, all in favour.

4. Update on matters arising from the minutes

a) Tree Preservation Orders

It was reported that the Tree Warden was still recuperating from his illness. It was **agreed** that the project to apply TPOs to trees would be passed over to the Tree Warden, and that regular updates would be requested.

b) Rosebery Park S106 Transfer

The Clerk reported that the solicitor had sent a document raising a number of questions, and that she had booked a meeting with the Chairman to clarify these. If any matters required Council decision these would be brought forward to a future meeting.

5. Report from the Vice Chairman

David Gooderham reported that the Craft Fair was taking place on Saturday 25th November, and that tickets were still available for the Michael Jackson Tribute Night in December. The Race Night had been cancelled due to insufficient ticket sales. A meeting had been scheduled for 1st November at 3pm to discuss the Burgate Lane development with the land promoters, and it was confirmed that sufficient councillors were available to make this viable.

6. Public Participation

Standing orders were suspended to allow the County Councillor, District Councillors and members of the public to speak, proposed by James Landshoft, seconded by David Hewer, all in favour.

a) District Councillors

John Overton reported that areas for small scale development had been identified around South Norfolk, including Brooke and Shotesham. The Council had been calculating the five year land supply figures, and was taking legal advice to confirm whether their calculations equating to either 6.44 years or 8.39 years were correct. Norwich City Council was keen to build more houses but were being asked to keep within their administrative boundaries with these.

Issues of flooding associated with the proposed development in Burgate Lane had been raised with the developers. John had also asked whether the application would be made under Local Plan policies or under five year land supply, noting that it was outside the development boundary.

Adam Nicholls and Tim Horspole were leaving South Norfolk Council shortly. Further work was taking place on the joint working arrangements with Broadland District Council. A question was asked regarding whether Alington school had capacity. It was suggested that this could be discussed with the land promoters at the forthcoming meeting.

James Landshoft reported that he was taking part in Movember and would welcome any support people could give to the Movember Foundation.

b) County Councillor

Vic Thompson had sent his apologies and had circulated his report.

c) Public Participation

A member of the public asked when the pavement at Rosebery Park, fronting Shotesham Road, would be completed. It was noted that the contractors were waiting for someone to test the electric cable to see whether it was live. It was **agreed** that in order for force the developers to move this forward, the Council would not take on the open space land until the pavement had been completed, proposed by James Landshoft, seconded by John Henson, all in favour.

Clerk

A member of the public reported a rapidly increasing leak at the junction of Howe Lane / Shotesham Road. This had been reported but no action had been taken. The Clerk was asked to contact the Anglian Water representative to try to move this on.

Clerk

A member of the public noted his disappointment at the removal of the hedge at the Bixley development. It was understood that this had been approved through the planning process, and he suggested that the Neighbourhood Plan project could consider how they could protect hedges and trees in the parish. This was noted by the Chairman of the Neighbourhood Plan Committee.

A member of the public addressed the Council about his request to place a bench on Highways land at Critoph Close. He noted that the Clerk was waiting for a response from the Highways Engineer. It was **agreed** to support this project, proposed by James Landshoft, seconded by Chris Walker, all in favour.

A member of the public reported problems with traffic management on

Norwich Road the previous week. The Clerk replied that she had already raised concerns with the Anglian Water representative, who had been aware of issues and had taken steps to correct this quickly. It was noted that traffic management appeared to be fine this week.

Standing orders were reinstated.

7. Planning

a) Applications Received

- i) 2017/2168 Unit 4 Overtons Way: Change of use to D1 for the use of physiotherapy, podiatry services.
- ii) 2017/2169 Unit 4 Overtons Way: Wall sign above front door.

David Gooderham had viewed the plans. The proposal was for a non-retail use of the unit, and associated advertising.

Clerk

It was **agreed** to support the applications, proposed by David Gooderham, seconded by John Henson, all in favour.

- ii) 2017/2234 Solar Farm, White Horse Lane, Trowse: Variation of Conditions 1 and 2 of planning consent 2014/2380 (Development of a ground mounted solar farm including associated infrastructure which includes inverters and transformers and a substation) to allow extension of operational lifetime of the solar farm from 25 years to 30 years.

John Henson had viewed the plans. The variation was to extend the lifetime of the solar farm by a further five years. It was felt that this was good as often useable equipment was being removed when planning permission expired.

It was **agreed** to support the application, proposed by John Henson, seconded by Trevor Spruce, all in favour.

Clerk

b) Planning Decisions

- i) 2017/1771 235 The Street: Variation of condition 2 of planning consent 2015/1899 (Demolition of existing garden outbuilding and replacement with new garden outbuilding) – Revised design of outbuilding including lowered ridge height and wider building width. **APPROVED**
- ii) 2017/1811 Land north of Stoke Road: Discharge of condition 14 (archaeological written scheme of investigation) of application 2016/2388 – Full planning application for up to 120 dwellings (Phase 2), senior recreation space, children's play space and associated infrastructure. **APPROVED**
- iii) 2017/1898 47 Cawstons Meadow: Single storey rear extension. **APPROVED**
- iv) 2017/2104 St Lawrence, Bungay Road: Discharge of condition 3 from planning consent 2016/0872 - Materials. **APPROVED**
- v) 2017/2135 10 The Footpath: Single storey rear and side extensions and alterations. **APPROVED**

8. Correspondence and Consultations

a) Bungay Road, Bixley

The consultation regarding the extension of the 30mph to cover the new development north of The Ramblers was **supported**.

Clerk

b) Precept Consultation
 The Clerk noted that a consultation was in progress regarding whether referendum principles should be applied to local councils. It was noted that the Council had objected to this in 2016, and felt that the view had not changed. It was **agreed** to give the same response as before. **Clerk**

c) Letter Regarding Rosebery Park Open Space
 The Clerk presented a letter from a resident adjacent to the open space at Rosebery Park, noting that she was looking for some planting to soften the railings surrounding the areas. It was **agreed** to approach the developers to request that they plant some fast growing hedge on the inside of the railings, which would then be maintained as part of the contract. If this was agreed, it would be put to the resident as an acceptable solution. Proposed by John Henson, seconded by James Landshoft, all in favour. **Clerk**

9. Finance

a) Receipts, Payments, and Bank Reconciliation
 The receipts, payments and bank reconciliation for September 2017 were presented and **noted**.

b) Second Quarter Budget Comparison
 The heading on the comparison document was corrected, and it was noted that the figures within the Community Centre I&E and spreadsheet did not add up. The Clerk was asked to correct these. **Clerk**

c) Accounts for Payment
 It was **agreed** to pay the following accounts, proposed by James Hewer, seconded by David Hewer, all in favour.

	Staff Salaries	£5,581.40
	PAYE & NIC	£1,740.14
HMRC	Superannuation	£1,863.40
Norfolk Pension Fund	Hosted IT	£166.08
Microshade	Printing and Printer Set Up	£133.25
Norfolk Copiers	Telephone and Broadband	£45.58
BT	Cemetery Maintenance	£750.00
Spruce Landscapes	Waste	£74.23
Veolia	Kitchen Equipment	£467.96
Nisbets	Line Marking Paint	£9.48
J Henson	CC Gas	£51.05
ESPO	CC Electricity	£643.67
Total Gas & Power	CC Grounds Maintenance	£226.00
Spruce Landscapes	Loan Repayment	£4,356.63
Public Works Loan Board	Relief Caretaking	£839.22
HouseProud	Plumbing Repairs	£363.50
MCL Mechanical Engineers	Grounds Maintenance	£348.00
Spruce Landscapes	Grounds Maintenance / Verges	£723.00
Garden Guardian	Playing Field Water	£127.89
Anglian Water	Various	£2,101.34
Barclaycard	Six Administrator	£158.63
Best Norfolk Office Solutions		

Norfolk Copiers	Photocopier Rental	£143.97
Hugh Crane Cleaning Eqt	Cleaning Materials	£112.49
C Moore	Petty Cash Top Up	£68.40

10. Committees and Advisory Groups

a) Neighbourhood Plan Committee Report

The report of the meeting was **noted**.

11. Other Matters

a) Co-options to Neighbourhood Plan Committee

It was **agreed** to co-opt Marie Charles to the Committee, proposed by Chris Walker, seconded by David Hewer, all in favour. It was noted that Joss Riley had resigned from the Committee, leaving one vacancy to be filled.

Clerk

b) Delegation of Appointment of Neighbourhood Plan Consultant

It was noted that the first two interviews had been set up for Monday 6th November 2017, and that two councillors and two co-optees from the Committee would be interviewing, with the Clerk in attendance. It was **agreed** that the decision on appointment of a consultant would be delegated to the small group, proposed by Chris Walker, seconded by David Hewer, all in in favour.

Clerk

c) Poringland Library Open Plus Works

The Chairman reported that Norfolk County Council had agreed to the warranties and latent defect guarantees as requested. A pre-works meeting was scheduled shortly, with the Clerk and Caretaker attending.

d) Play Area Markings Project

The Clerk gave an update on the project, noting that the cost would be £3,577.48 plus VAT which included cleaning the site. Funding had been pledged by Lisa Neal, Anglian Water and the Parish Council, with applications made to other organisations. John Overton agreed to fund £500 if the Parish Council would increase their share to £500, which was **agreed**, proposed by John Henson, seconded by David Hewer, all in favour. The Clerk was asked to send John details of the scheme for the application.

Clerk

e) Community Land Project Phase 2

The terms of reference for the Phase 2 Working Group were **agreed**, with Tim Boucher (Chairman ex-officio), David Gooderham (Vice Chairman ex-officio), Chris Walker, John Overton and James Landshoft appointed to the Group, proposed by David Hewer, seconded by James Landshoft, all in favour.

f) Community Land Project Planning Consultant

It was noted that the Council would need to engage a consultant to take them through the planning process for the community land, and Tim Boucher had suggested that he and the Clerk could draw together the specification, which would then be sent out for tender. This would come back to Council for agreement of the appointed consultant. It was **agreed** that this approach was acceptable, proposed by John Henson, seconded by James Landshoft, all in favour.

Clerk

1. Date of next meeting:

- Wednesday 29th November 2017, 7pm, Full Council, Community Centre.
The Clerk was asked to circulate a list of forthcoming meetings each month to councillors.

The meeting closed at 8.40pm.

CHAIRMAN

Catherine Moore

From: Jayne Cole CEO <ceo@lcpas.co.uk>
Sent: 21 November 2017 13:36
To: Jayne Cole CEO
Subject: Disqualification criteria for Councillors and Mayors - Consultation brief

Dear Colleagues

As promised I have been through the consultation document and below are the main points for consideration. I have broken down the consultation into matters related to each of the questions.

I have included the email address where responses can be sent by the closing date 5th December at 5pm.

I hope this helps and please do not hesitate to contact me if I can be of further assistance

Very best wishes

Jayne

Disqualification Criteria for Councillors and Mayors:

The Government considers that anyone who is subject to sex offender notification requirements, commonly referred to as 'being on the sex offenders register', should be barred from standing for election, or holding office, as a local authority member, directly-elected mayor or member of the London Assembly. The period of time for which they would be barred would end once they were no longer subject to these notification requirements.

Notification Requirements:

Where an adult offender is:

Sentenced to imprisonment for life or to a term of 30 months or more
Detained in a hospital subject to a restriction order
Sentenced to imprisonment for more than 6 months but less than 30 months imprisonment
Sentenced to imprisonment for 6 months or less
Detained in a hospital without being subject to a restriction order
Cautioned
Conditional discharge
Any other description (i.e. community sentence, fine)

The period of notification or the individual remains on the register ranges from 2 years to an indefinite period.

Q1. Do you agree that an individual who is subject to the notification requirements set out in the Sexual Offences Act 2003 (i.e. who is on the sex offenders register) should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?

Q2. Do you agree that an individual who is subject to a Sexual Risk Order should not be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?

The Government considers that an individual who is subject to an anti-social behaviour sanction that has been issued by the court, i.e. a Civil Injunction or a Criminal Behaviour Order, should be barred from standing for election, or holding office, as a local authority member, directly-elected mayor or

member of the London Assembly. The period of time for which they would be barred would end once they were no longer subject to the injunction or Order

Civil Injunction - A civil order with a civil burden of proof.

The injunction can include both prohibitions and positive requirements to tackle the underlying causes of the behaviour. Applications can be made by police, councils, social landlords, Transport for London, Environment Agency, Natural Resources Wales and NHS Protection

Criminal Behaviour Order - A court order available on conviction.

The order can be issued by any criminal court against a person who has been convicted of an offence. It is aimed at tackling the most persistently anti-social individuals who are also engaged in criminal activity. The order can include both prohibitions and positive requirements. Applications are made by the prosecution, in most cases by the Crown Prosecution Service, either at its own initiative or following a request from the police or council.

Q3. Do you agree that an individual who has been issued with a Civil Injunction (made under section 1 of the Anti-social Behaviour, Crime and Policing Act 2014) or a Criminal Behaviour Order (made under section 22 of the Anti-social Behaviour, Crime and Policing Act 2014) should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?

Q4. Do you agree that being subject to a Civil Injunction or a Criminal Behaviour Order should be the only anti-social behaviour-related reasons why an individual should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?

Q5. Do you consider that the proposals set out in this consultation paper will have an effect on local authorities discharging their Public Sector Equality Duties under the Equality Act 2010?

Q6. Do you have any further views about the proposals set out in this consultation paper?

You can respond by email:

When responding, please make it clear which questions you are responding to. When you reply it would be very useful if you could confirm whether you are replying as an individual or submitting an official response on behalf of an organisation, and include: - your name - your position (if applicable) - the name and address of your organisation (if applicable) - an address, and - an email address (if you have one)

<mailto:Section80consultation@communities.gsi.gov.uk>

All responses should be received by no later than 5pm on Friday 8 December 2017.

Very best wishes

Jayne
Jayne Cole
Chief Executive Officer

Local Council Public Advisory Service
6 Aragon Court
Clare
Suffolk
CO10 8FA

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TMob: 07443009607
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Poringland Parish Council

Bank - Cash and Investment Reconciliation as at 8 November 2017

	<u>Account Description</u>	<u>Balance</u>
<u>Bank Statement Balances</u>		
1	Barclays Current	54,622.93
2	Cambridge & Counties 120 Day	74,086.85
2	Hampshire Trust Bond 1	55,000.00
2	Barclays Deposit	93,121.92
2	Nationwide Instant Access	60,475.07
		337,306.77
<u>Other Bank & Cash Balances</u>		
	Petty Cash	550.00
	Cashbook Suspense	0.00
		550.00
		337,856.77
<u>Unpresented Payments</u>		
1	27/09/2017 104420	25.00
1	25/10/2017 104425	70.13
1	25/10/2017 104426	121.13
1	25/10/2017 104427	25.90
1	25/10/2017 104428	254.24
1	25/10/2017 104429	1,863.40
1	25/10/2017 104430	1,740.14
1	25/10/2017 104431	27.72
1	25/10/2017 104432	133.25
1	25/10/2017 104433	467.96
1	25/10/2017 104434	9.48
1	25/10/2017 104435	839.22
1	25/10/2017 104436	363.50
1	25/10/2017 104438	723.00
1	25/10/2017 104439	158.63
1	25/10/2017 104440	112.49
1	25/10/2017 104321	68.40
1	02/11/2017 SO	172.76
		7,176.35
		330,680.42
<u>Receipts not on Bank Statement</u>		
1	31/03/2017	-29.75
1	18/09/2017	7.00
		-22.75
		330,657.67
<u>Closing Balance</u>		
<u>All Cash & Bank Accounts</u>		
	Barclays Current	47,423.83
	Bonds & Savings	282,683.84
	Other Bank & Cash Balances	550.00
	Total Bank & Cash Balances	330,657.67

PORINGLAND PARISH COUNCIL				
Payments List 29 November 2017				
Payee	Code	Description	Amount	Chq no.
S Cunningham	Salary	Administrator		SO
R McCarthy	Salary	Assistant Clerk		SO
L Gooderham	Salary	Caretaker		SO
S Warmingier	Salary	Street Cleaner		SO / 104322
C Moore	Salary	Clerk		SO
S Duffell	Salary	Project Officer		104323
			£5,357.18	
HMRC	Salary	PAYE & NIC	£1,739.74	104324
Norfolk Pension Fund	Salary	Pension Contributions	£1,863.40	104325
BT	General Admin	Telephone and Broadband	£49.91	DD
Norfolk Copiers	General Admin	Printing - General	£17.84	104326
Information Commissioner	General Admin	Data Protection Annual Registration	£35.00	DD
Norse Eastern Ltd	General Admin	Compliment Slips	£30.00	104327
Microshade Business Consultants	General Admin	Hosted IT	£214.62	SO
Norfolk Parish Training & Support	General Admin	Data Protection Regulation Training	£35.00	104328
PRS for Music	Community Centre	PRS Annual Fee	£748.69	104329
Hugh Crane Cleaning Eqt	Community Centre	Cleaning Materials	£54.70	104330
Spruce Landscapes	Community Centre	Grounds Maintenance	£226.00	SO
WorldPay	Community Centre	Bar Card Machine Charges	£5.17	DD
M Roberts	Community Centre	70's Night Deposit	£75.00	104331
Nisbets	Community Centre	Water Filter Cartridges	£44.37	104332
Westcotec	Outside Spaces	SAN2 Brackets & Fixings	£120.00	104333
South Norfolk Council	Outside Spaces	Dog Bin Emptying	£1,680.00	DD
Spruce Landscapes	Burial Ground	Grounds Maintenance	£750.00	SO
Spruce Landscapes	Community Centre	Trafalgar Square	£600.00	104334
Hollinger Print	General Admin / Projects	Newsletter / N Plan Leaflets	£416.00	104335
Viking Direct	General Admin / Projects	Laminator / Consultation Supplies	£94.13	104336
Barclaycard	General Admin / Community Centre	Phone Credit / Business Cards / Bar Stock	£265.18	DD
Garden Guardian	Commuted Sum / Playing Field / Verges	Grounds Maintenance	£723.00	104337
Fenland Leisure Products	Commuted Sum / Playing Field	Play Area Repairs	£1,904.18	104338
Veolia	Community Centre / Burial Ground	Waste	£74.23	DD
HouseProud Commercial	Community Centre / Playing Field	Relief Caretaking	£1,134.48	104339
All Stars Entertainment	Community Centre	M Jackson Tribute Fee - Balance	£595.00	104340
The Poppy Appeal	Section 137	Donation for Wreath	£75.00	104341
NCSSC	Community Centre	Damage Deposit Return	£60.00	104342
			£18,987.82	

Poringland Neighbourhood Plan Committee
Wednesday 15th November 2017
Item No.

Report of the meeting of the Neighbourhood Plan Committee
held on Wednesday 15th November 2017

The meeting was attended by John Henson (Chairman), John Joyce, Henry Gowman, John Hodgson, Carl Pitelen, David Hewer, Lorraine Matthews, Tim Boucher, Trevor Spruce, Catherine Moore (Clerk), Stephanie Ayden (Project Officer) Jason Parker (Consultant)

Appointment of Consultant confirmed as Jason Parker of Parker Planning Services.

It was noted that parish boundaries of Poringland had been submitted for the purposes of designating the Neighbourhood Plan area.

Two amendments to the Project Plan were noted: i) removal of final stage of key stakeholder consultation and ii) agreement of the final Plan now timetabled for April 2019, not May 2019. Committee meetings to continue regularly through out life of the project plan.

Cover for the December 4th Public Involvement event confirmed, along with an outline of display materials.

Jason Parker presented on key messages/what a Neighbourhood Plan can and cannot do and the process to follow. This presentation to be circulated to committee members and publish to council website.

This was followed by a question and answer session.

It was agreed to involve our local Police Officer.

It was agreed to publish the Chairman's mind map of Poringland to the Parish Council website and to display it at the December 4th event.

A link to the National Policy Planning Framework would be included in the Minutes.

The next meeting of the Committee will be Wednesday 20th December 2017, 7pm at Poringland Village Hall.

**Report of the meeting of the Finance and Governance Advisory Group held on
Wednesday 1st November 2017**

The meeting was attended by John Henson, Steve Aspin, Tim Boucher, David Gooderham and Chris Walker. John Henson was elected as Chairman.

The following matters were discussed with observations and recommendations being made to Council.

1. Capital Investment

- Parish Partnership – village gateways being investigated.
- Decorating of Community Centre – due in 2018, prices being obtained.
- Further investment in Centre – vinyl in toilets and kitchen may need replacing in coming years; AV socket in Quad 1 needs improvement, Clerk asked to investigate; Bistro door needs investigation for improvement as it is now used more than intended.

2. Church Grasscutting and Post Office Grant

Agreed to recommend that no budget is set aside for church grass cutting (although an application for a grant could be made under the relevant policy) but that budget be set aside to make a grant to the Octagon Post Office.

3. Relief Caretaking

Discussed the existing contract with a view to whether it was due to be put out to tender.

4. Community Land Project

Agreed to get prices for planning permission consultancy and then decide where it would be most appropriate to draw the funds from.

5. Banking Arrangements

Agreed to look further into options for BACS payments with Barclays, and also to look again at Unity Trust Bank, exploring likely costs.

6. Investment Strategy

Agreed to recommend that the bonds due for renewal in 2018 (Julian Hodge £22,000; Julian Hodge £55,000; Hampshire Trust £55,847.75) be reinvested in the same or similar bonds and institutions. Agreed to recommend that the Rosebery Park Section 106 Commuted Sum be split between a bond and an investment in the CCLA Property Fund.

7. Clerk's Level 4 Qualification

Agreed to recommend support to the Clerk for 50% of the fees (ie £1,470 for each of two years) for the Level 4 qualification Certificate of Higher Education in Community Governance: Local Council Management, with clauses that the Clerk would pay back the fees if she terminated the course early; or if she chose to leave the Council within two years of completion of the course.

**Report of the meeting of the Finance and Governance Advisory Group held on
Wednesday 22nd November 2017**

The meeting was attended by John Henson, Steve Aspin, David Gooderham and Chris Walker.

The following matters were discussed with observations and recommendations being made to Council.

1. Updates on Matters Arising

- **Parish Partnership** – village gateways were unviable as only one location was suitable, but could only accommodate one and a half gates, which would be of limited impact and would cost £5,000. **Recommendation:** not to pursue this any further.
- **Banking Arrangements** – Barclays do not offer a cost effective or suitable solution for BACS payments. Unity Trust Bank would cost around £300 in annual charges, with savings being made in staff time writing cheques; stamps; and councillor time signing cheques in meetings. Payments would be raised by the Clerk online, and authorised for release by two councillors. **Recommendation:** that the Clerk investigates further.

2. Grounds Maintenance

Recommendation: that the following contracts be entered into for the 2018 season:

- **Burial Ground** – Spruce Landscapes at £5,600 per annum at combined discount rate.
- **Memorial Garden** – Spruce Landscapes at £1,500 at combined discount rate.
- **Community Centre** – Spruce Landscapes at £2,350 per annum.
- **Devlin Drive** – Garden Guardian at £780 per annum.
- **Verges** – Garden Guardian at £2,460 per annum.
- **Mulberry Grass** – Garden Guardian at £1,280 per annum.
- **Mulberry Grounds** – Vortex at £1,140 per annum.
- **Playing Field Grass** – Garden Guardian at £945 per annum.
- **Playing Field Grounds** – Garden Guardian at £1,480 per annum.
- **Rosebery Park** – Garden Guardian at £2,090 per annum.
- **Trafalgar Square** – Vortex at £1,160 per annum.

3. Budget 2018/19

The draft budget for 2018/19, including staffing, recurring expenditure, and capital expenditure, was discussed in detail. The final budget will be brought to Council on 3rd January 2018 for agreement. The Group is aiming for a 0% increase in Band D precept.

4. Open Spaces Precept Strategy

The Group considered a Strategy for mitigating the impact on the precept as attached at Appendix 1 of this report. **Recommendation:** that the Strategy be approved.

Open Spaces Commuted Sums and Reserves November 2017

At the meeting on 22nd November, Finance and Governance Advisory Group considered whether there was still a need to precept £5,600 per annum to mitigate against an increase in precept for the Mulberry Village Green. The Group considers that a healthy reserve has now been saved, and that the surpluses within the commuted sums should cover an off-set in precept costs, as well as helping to build a play equipment reserve.

The Group considered the below potential commuted sum balances (which may fluctuate if there is a significant increase in maintenance costs, or if a significant spend on play equipment is needed):

Mulberry Close – coming onto Parish Council precept April 2021

Current cost: £2,420/annum

Current commuted sum balance: £38,425

Anticipated spend based on current levels: £7,260

Potential surplus: £31,165

Devlin Drive – coming onto Parish Council precept April 2023

Current cost: £780/annum

Current commuted sum balance: £37,076

Anticipated spend based on current levels: £3,900

Potential surplus: £33,176

Trafalgar Square – coming onto Parish Council precept April 2023

Current cost: £1,160/annum

Current commuted sum balance: £51,556

Anticipated spend based on current levels: £5,800

Potential surplus: £45,756

Outline Strategy:

I would like Councillors to consider ceasing precepting £5,600 per year, and to hold the £31,000 in an Open Spaces Reserve to be used for any open space once it is no longer covered by the 10 year commuted sum. Until that time, the Council will continue to make payments solely through the commuted sum it holds. This should mean that it isn't used until April 2021 at the earliest.

I would also like Councillors to set up a Play Equipment Reserve on the same principle as the Open Spaces Reserve, which will be added to as commuted sums end, and in future can be added to by the precept if necessary – although that may be a long way off as we know that there will be more commuted sums for Rosebery, Norfolk Homes, and David Wilson Homes.

Mulberry Close

Earmark £6,000 as precept off-set, to be called off £3,000 year 1; £2,000 year 2; and £1,000 year 3.

Earmark remaining balance – potentially £25,000 – into the Play Equipment Reserve.

Devlin Drive

Earmark £30,000 into the Play Equipment Reserve
Sweep remaining balance into general free funds
Precept for annual maintenance

Trafalgar Square

Earmark £9,000 as precept off-set, to be called off £3,500 year 1; £2,500 year 2; £1,500 year 3; £1,000 year 4; £500 year 5.
Earmark remaining balance – potentially £36,000 – for Play Equipment Reserve.

Open Spaces Reserve

To be used for unforeseen issues or precept off-setting if necessary.

This strategy will off-set the precept increases adequately, will create a Play Equipment Reserve (potentially £91,000) for future repairs and replacements for any play area.

If a future need arose to precept to add to the Open Spaces Reserve, for example if future S106 land looked to need significant off-setting of precept, this can be planned into the precept-setting process. However I anticipate that it would be 5 years before this would need to be considered.

Catherine Moore

From: Charles Auger <charles.auger@talktalk.net>
Sent: 15 November 2017 17:43
To: clerk@poringlandparishcouncil.gov.uk
Subject: Neighbourhood plan

Catherine

John Henson asked me some time ago if I would be interested in being on the group considering the neighbourhood plan. He has now asked me to give you some details of my background so the Parish council can consider my candidacy.

I have lived in the village since 1974, I am married with three grown up children, one of whom, my daughter, also lives in the village with her husband and three primary age children.
I am a retired engineer, having worked for Norfolk County Council on highway schemes since 1972.

I am not sure if you need any more information from me at present, but please let me know if there is anything you would like me to add.

Charles Auger=



PORINGLAND PARISH COUNCIL

Poringland Community Centre, Overtons Way, Poringland, Norfolk, NR14 7WB
Tel: 01508 492182 Email: clerk@poringlandparishcouncil.gov.uk

Clerk to the Council: Mrs Catherine Moore BSc FSLCC

PRESS AND MEDIA POLICY

Poringland Parish Council is committed to the provision of accurate information in respect of its functions, decisions and actions. The Council may communicate with the media, including those who publish editorial material in print, broadcast or electronic form. The Council shall endeavour to assist the media with enquiries about its functions, decisions and actions.

The purpose of this Policy is:

- To establish a framework for achieving an effective working relationship with the media
- To ensure that the views and policies of the Council are presented accurately
- To clarify who is authorised to speak on behalf of the Council
- To provide guidance for Councillors and Staff on how to deal with some of the practical issues that may arise when dealing with the press and media
- To ensure consistency in the Council's dealings with the press and media
- To ensure that all elements of the press and media will be treated equally.

This Policy sits alongside the Social Media Policy.

Where reference is made to the Clerk, this is delegated to the Assistant Clerk in their absence. Where reference is made to the Chairman of the Council, this is delegated to the Vice Chairman in their absence. Where the Chairman is referred to, this can be delegated to the relevant Chairman of a Committee where appropriate. This only applies to formal Committees of the Council, and not Advisory Groups.

Media Attendance at Meetings

Meetings of the Council, its Committees and Sub-Committees are open to the public and press unless the Council resolves under the Public Bodies (Admission to Meetings) Act 1960 that their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted, or for other special reasons. Advisory Groups are not open to the public and press.

As with any member of the public, members of the press and media may be asked to leave the room if their disorderly behaviour obstructs the business of the meeting.

Where meetings include time for public participation and subject the Council's standing orders, media representatives may speak and ask questions.

Recording of meetings is subject to the Council's Filming at Meetings Policy.

The press and media are entitled to hard copies of the agenda and necessary supporting paperwork for a meeting. In the first instance, they will be directed to the website to download and print the papers for the meeting. Representatives of the press shall be given reasonable facilities for taking and communicating their report of a meeting, subject to the Council's Filming at Meetings Policy.

The Clerk

Wherever possible all communications with the press and media should be made through the Clerk or the Chairman of the Council.

The Clerk, as Proper Officer of the Council, is authorised to receive all communications from the press and media and to issue press statements on behalf of the Council in consultation with the Chairman of the Council or the relevant Committee.

Communications made by the Clerk will relate to the stated business and day to day management of the activities or adopted policy of the Council. The Clerk should not speculate on matters that have not been considered by the Council. Where such questions are put to the Clerk, s/he should inform the enquirer that they will be notified of a response within one working day where possible. The Clerk should then consult with the Chairman on a suitable response – which may be ‘No Comment’.

The Clerk, in consultation with the Chairman, is authorised to publish press statements on any urgent matters where there is insufficient time for a Council meeting.

Councillors

Councillors should be aware that according to case law the role of councillor overrides the rights to act as an individual. Councillors must therefore be careful about expressing individual views to the press or media, whether or not they relate to matters of Council business.

While it may be legitimate for a councillor to make clear that they voted against a policy if this took place in open session, councillors should not seek to undermine a decision through the press.

Councillors should be mindful of predetermination when making comment to the press, and ensure that any views expressed could not result in an accusation of predetermination. If this is the case, councillors are required to declare the interest and withdraw from the debate at that point.

Councillors occupying more than one role of public office (for example district or county councillor) should make it clear to the press in which capacity they are acting. If their role as Parish Councillor is identified, either intentionally or otherwise, they should consider whether predetermination may apply.

Press Releases / Approaches made to the Press / Media by the Council

Press releases may be issued proactively to alert the media to a potential story, provide important public information or to explain the Council’s position on a particular issue.

Press releases made on behalf of the Council will normally be prepared and issued by the Clerk in consultation with the Chairman of the Council.

A direct approach by the Council to the media seeking an interview, issuing a statement or press release, or to publish an article may only be made with authorisation from the Council or relevant Committee, except in the following situations:

- The direct approach relates to an event being co-ordinated by the Council, for example a public consultation;
- The direct approach relates to advertising a tender for works or other opportunity to engage with the Council on a basis approved by the Council (eg opportunities for contractors to price for services requested by the Council);
- There is insufficient time for a Council meeting, and the matter is urgent enough to warrant response.

Approaches from the Press / Media

Unexpected approaches from representatives of the media can lead to unguarded comments being made, and great care must be taken to avoid misrepresentation of the Council’s policy or position on

the matter in question. Reporters should be directed to contact the Clerk if they want to carry out an interview or obtain a statement about the Council's business and actions. Interviews may be given by the Clerk; Chairman of the Council; or the Chairman of the relevant Committee.

Except in most straightforward cases, the enquirer should be informed that a statement will be made within one working day and they should be asked to set out clearly what they want to know. This will allow time for the Clerk to consult with the Chairman in producing a carefully worded response within a reasonable time.

Any verbal or written statement given must represent the corporate position and views of the Council, not the individual views of councillors or staff held in their official capacity.

Where the matter concerned has not been discussed by Council an immediate response cannot be made and this should be made clear to the enquirer. The Clerk should then consult the Chairman on an appropriate response, which may be 'No Comment'.

General Principles

- Be calm.
- Be informed and certain of all your facts.
- Ask for more time to consolidate your response if needed.
- Avoid live interviews where possible.
- Ensure that when making comments on behalf of the Council that you are aware of Council policy and that your comments reflect that policy.
- Ensure that your comments and views will not bring the Council, its Councillors or staff, into disrepute and ensure that comments are neither libellous or slanderous.
- Any publicity should be as objective as possible, concentrating on facts or explanation or both.
- Publicity touching on issues that are controversial, or on which there are arguments or and against the views or policies of the Council should be handled with particular care.
- Issues must be presented clearly, fairly and as simply as possible, although facts, issues or arguments should not be oversimplified.
- Publicity should not attack, nor appear to undermine, generally accepted moral standards.
- Public funds must not be used to mount publicity campaigns whose primary purpose is to persuade the public to hold a particular view on a question of policy.
- Council resources must not be used on publicity that is, or could be misinterpreted as being, party political or on publicity which could be seen as promoting an individual member, particularly at election time.
- The Council, its Councillors and staff cannot disclose information which is confidential or where disclosure of information is prohibited by law.
- Councillors must act with integrity and observe the Members' Code of Conduct at all times when representing or acting on behalf of the Council.
- Councillors and staff must not communicate their personal views about the Council's business, decisions and actions.
- Councillors and staff are not permitted to misrepresent the corporate position and views of the Council or damage the reputation of others in the Council, or the Council itself.
- If expressing personal views in their private capacity, Councillors are not permitted to use their title 'Councillor' and staff are not permitted to use their job title. This would imply that you are stating Council policy.
- A copy of any written material sent to the press / media by a Councillor, as representing the Council, must be forwarded to the Clerk.

- A Councillor or Officer must not disclose information that is of a confidential nature. This includes any discussion with the press on any matter which has been discussed under confidential items on the Council's or Committee's agenda, or at any other private briefing.
- A Councillor should not raise matters relating to the conduct or capability of an officer at meetings held in public or before the press.

Implementation Date: November 2017

Review Date: November 2020

General Data Protection Regulation: Briefing

Background

The Data Protection Act has been in force since 1998, and sets out how we should be managing personal data. In 2018, there will be two major changes to data protection law: the first will be the introduction of new responsibilities under the General Data Protection Regulation, which come into force on 25th May 2018; and second will be the new Data Protection Act. This is currently going through Parliament, and no information is available yet on what this will look like.

The Parish Council will need new data protection policies and processes, and a risk assessment will need to be carried out.

Personal information is defined as information relating to an identified or identifiable living individual. It does not apply to the deceased – although personal data for the burial ground is held regarding living relatives.

General Data Protection Regulation (GDPR)

This report focusses on the Council's responsibility under the new Regulation. There will be a huge amount of work ahead to prepare for the Regulation, which is highlighted below. It is expected that the Clerk and Assistant Clerk will set aside time in Spring 2018 to put everything in place.

Poringland Parish Council collects personal data on a daily basis, through correspondence, contracts, burial grounds records, and many other mediums. It is important that staff and councillors understand their responsibilities around data protection, and for this reason a guide will be produced for councillors and staff, outlining what you can and can't do; what you need to make the Clerk aware of; and what to do if you believe you have made a data breach. The Guide will expand on the brief overview that is being presented in this paper.

There are three key roles around the new GDPR. The 'Data Controller' – the body required to process the data (ie the Parish Council); the 'Data Processor' – anyone who comes into contact with personal data on behalf of the Data Controller (ie staff and councillors); and the 'Data Protection Officer' – the person who has been appointed as responsible for data compliance.

For the purpose of examples, I have used the burial records as a relevant source of personal information.

Twelve Steps to be GDPR Ready

Step One – Awareness

Data Controllers need to be aware of the changes required by GDPR, and appreciate the impact, which is the reason for this report. The Guide will also raise awareness of the new GDPR.

Step Two – Information Audit

The Data Controller is responsible for documenting the personal data that is held, noting where it came from, how it is held, and who it will be shared with. This includes electronic and hard copy information. The Information Audit is a live document and should be updated frequently. The Clerk and Assistant Clerk will carry out the Information Audit by going through all files (both electronic and hard copy) and recording where personal information is held. There is no requirement to identify exactly what personal data is held and on whom – just that a location contains personal data. For example, we would identify that four folders within the cemetery cupboard contain personal data of living relatives, gathered either directly or from funeral directors/stone masons, that it would be shared with councillors and staff, and that the legal basis is health and safety and the management of the cemetery regarding memorials and rights of interment.

Councillors will be asked, at the relevant time, to identify all files (electronic, hard copy and email) that hold personal data. Before this happens, councillors might like to take an opportunity to rationalise what they hold. Documents can be brought to the Parish Council office for confidential disposal.

Step Three – Review Privacy Notices

Privacy notices will need to be put in place. The key change is that individuals have to actively opt in to agreeing for their personal data to be held. The privacy notice informs individuals what we will do with their information; advise them who the data controller is; the purpose for which the data will be processed; and any further information specific to the circumstances. The key to this is transparency.

With the Council's subscription to the Local Council Public Advisory Service, a suite of documents have been received which include privacy notices. It is anticipated that these will be used as the basis for Poringland Parish Council's notices. These will need to be tailored for the cemetery, the community centre, personnel, and any other instances where personal data is gathered. It is expected that all privacy notices will be made available on the Parish Council website.

The full range of requirements for privacy notices will become apparent as we move through the GDPR process.

It should be noted that we do not need to go back and seek consent to process data, only that we must follow the correct processes from 25th May 2018 onwards.

Step Four – Individuals' Rights

The GDPR gives enhanced rights for individuals. These include:

- The right to be informed
- The right of access
- The right to rectification
- The right to erasure
- The right to restrict processing
- The right to data portability
- The right to object
- The right not to be subject to automated decision-making including profiling.

The right to erasure only applies 'where personal data is no longer necessary in relation to the process for which it was originally collected'. Therefore, for example, there is an ongoing requirement to retain details of the owner of a grave for legal management of the cemetery and for health and safety of memorials, however if ownership is passed legally

from one [living] individual to another, the original individual may request erasure of their data. A request for erasure by the new grave owner may be denied as the data is being processed under a legal basis other than consent.

Step Five – Subject Access Requests

Subject access requests must be complied with within one month, rather than the current 40 days. Requests can be refused if they are excessive or manifestly unfounded.

Generally, data controllers cannot charge for information.

Step Six – Lawful Basis for Processing Personal Data

As part of the Information Audit, the Parish Council must establish on what legal basis they are holding data. Going forward, the privacy notice should explain the lawful basis. This may mean disposing of some data that is no longer relevant.

Step Seven – Consent

The way that consent is sought, recorded and managed should be reviewed. Consent must be freely-given, specific, informed and unambiguous. There must be a positive opt-in, meaning that silence cannot be taken as implied consent. Consent must be specific, clear, prominent, opt-in, properly documented and easily withdrawn.

Step Eight – Children

The Parish Council should consider whether any activities (such as public consultation, or events targeted at children) are subject to processing activity – for example taking their names. Parental or guardian consent must be sought to process data. The age that a child can give their own consent for data processing is 16 under GDPR. Consent must be verifiable, and privacy notices must be written in such language that children will understand.

An example where this would apply is the school speed awareness competition. Children were asked to identify their work by giving their name, age, and classroom. Therefore, they would need to be issued with a privacy notice, and consent would need to be obtained from their parent or guardian. They would need to give consent for their data would be shared with Norfolk Police; Norfolk County Council; and media outlets for any press release.

In most cases such as public consultation, responses from children can be anonymised, or where tickets are being sold for children's events, the name of the parent is recorded.

Step Nine – Data Breaches

Procedures must be in place to detect, report and investigate a personal data breach. The GDPR introduces a new duty on all organisations to report certain types of breach within 72 hours of it occurring. Generally, a breach would be reported if it has risked the rights and freedoms of individuals. The GDPR policy would need to detail a procedure for managing a breach. Failure to report could result in a fine, as well as a fine for the breach itself.

Step Ten – Data Protection by Design and Data Protection Impact Assessments

Risk assessments will need to be carried out on projects which could carry data protection risk. Where a project may result in a high risk to individuals (for example putting in a new IT system) an Impact Assessment should be carried out. Where the risk is very high, the Information Commissioner should be consulted. A general risk assessment of data protection should also be carried out, and any mitigating action be put in place.

Step Eleven – Data Protection Officer

The Data Controller is required to appoint a Data Protection Officer (DPO). In most cases, except where a Council decides to outsource, it is expected that this will fall under the remit of the Clerk. Legal advice is that this role cannot be undertaken by a councillor, due to the conflict between also being the Data Controller.

The DPO must be clearly defined within the organisation's structure and governance arrangements. The DPO may not determine the purpose or manner of processing personal data – this is the responsibility of the Data Controller. Details of the role should be included within the Clerk's job description.

The GDPR states that the person appointed as DPO must have expert knowledge of data protection law (Article 39), and their details must be notified to the Information Commissioner. Therefore it is important that the DPO keeps up to date with data protection law and duties.

Step Twelve – International

It is very unlikely that this will apply, however in some circumstances (for example around twinning activities) certain data protection supervisory duties will apply with EU members.

Conclusion

The impact of the GDPR on the procedures and processes of the Council cannot be underestimated, and there will be considerable work to be undertaken in the new year to prepare for 25th May 2018.

The HR Advisory Group are recommending to Council, later in the agenda, that the Clerk has the role of Data Protection Officer added to the job description, and will consider the specifics of this at their meeting in February.

Time will be set aside in the diary for the Clerk and Assistant Clerk to prepare for GDPR. This will include the Information Audit; preparing the Privacy Notices and identifying where they apply (for example booking contracts, burial records, correspondence, consultations, invoices – to name a few examples); drafting policies and processes; carrying out risk assessments; and setting out the role of DPO in the Clerk's job description.

Consideration will also need to be given to the fact that the Welcome Home and Memorial Playing Field Trust is also subject to GDPR, with the only different being that as a charity they are not required to appoint a Data Protection Officer. The Trust will also need to be registered with the Information Commissioner.

Councillors are asked to **note the report** and will receive further update reports and documents for decision as the process continues.