

**OFFWELL PARISH COUNCIL**  
**MINUTES OF A MEETING HELD ON MONDAY**  
**16<sup>th</sup> APRIL 2018 IN THE SOCIAL CLUB**

**Present:** Cllrs A Small (Chair), M. Brake, J. Tristram, P.Tuke, C. Whithear

**In Attendance:** A Jenkins (Clerk), EDDC Cllr. H. Parr,

**Members of Public:** 3

**OPEN SESSION**

No matters were raised.

**COUNCIL BUSINESS**

**1. Apologies**

Cllr. S. Patch, Cllr. M. Mulrain, Cllr. D. Millington, Cllr. T. Staunton, EDDC Cllr. G. Godbeer  
DCC Cllr. M. Shaw, PCSO 30017 D. England

**2. Declaration of Interests**

None

**3. Minutes of the Meeting held on 26<sup>th</sup> March 2018**

The minutes were declared a true record of the proceedings, proposed by Cllr. Tristram and seconded by Cllr. Tuke, all in favour

**4. Matters Arising from the Minutes**

The Clerk reported that he had received a brief advice note from EDDC that the Parish Council's Parishes Together Funding Application had been approved but that he was presently awaiting further details together any terms and conditions which may apply to the grant.

Cllr. Brake advised that he would issue instructions to Councillors on how to set up an @offwell.org e-mail address.

The clerk advised that Mr Godfrey, the carpenter had not yet started repairing the Parish Council Noticeboard.

Cllr. Tristram advised that the new Dog waste bin had been positioned at the bottom of West Colwell track and was operational. He said that he had to purchase a key for it as it required a special sized utility key to open it.

## **5. Reports**

### **(a) Police:**

The Clerk reported that PCSO D. England had advised that there was one reported crime for the period 19<sup>th</sup> March 2018 to 15<sup>th</sup> April 2018 of a Drink drive – Person stopped by a patrolling officer and blew over the limit.

### **(b) District and County Councillors:**

DCC Cllr. Shaw had sent an April 2018 report which had been circularised to all Councillors and posted on the website. The report included his concerns about possible funding threats to East Devon's NHS in the new Integrated Care System (ICS), and also about potholes and failing repairs with expected additional funds for repairs.

EDDC Cllr. Parr reported that following the planning appeal, Pegasus and EDDC had formally agreed the sale of the Knowle Site. Originally it had been estimated that the cost of moving from the Knowle, the refurbishment at Exmouth and the new build at Honiton would be a cost neutral option. However, whilst the sale of Knowle is due to realise £7.5M, the actual cost of the Exmouth refurbishment and the Honiton new build will be £10.5M. EDDC has taken out a bridging loan to cover the difference. There should however be a financial gain in moving from the Knowle to the new locations as there is estimated to be a running cost saving of £135,000 in the first year and £6M over a 20 year period. The work on Blackdown House, the new build at Honiton is still on schedule with the Council planning to take occupation at the end of 2018/beginning of 2019.

### **(c) Other Reports -**

The Clerk advised that Cllr. Mulrain had attended the Community Safety Partnership Conference on behalf of the Parish Council and read out his report. He had reported that the conference had mainly focused on the changing nature of crime. Whilst the number of "traditional" types of crimes (burglary etc) are decreasing or have stabilised, there is a worrying increase in more modern crimes. The conference concentrated on these which included – online safety, cyber-crime and scams, child sexual exploitation, modern slavery, and something referred to as County lines which is a term used to describe crimes directed by criminal gangs outside of the county which include drug distribution and trafficking. Cllr. Mulrain collected a lot of information on the work being done to address these crimes and the impact they cause especially to young people. The Clerk to ask Cllr. Mulrain to share this information with other Councillors.

The Clerk advised that Cllr. Patch had attended the Colyton and area Traffic Group Meeting on the 9<sup>th</sup> April which was poorly attended by other parishes. Stephen Kelly, the DCC Highways Officer had said that funding for roads had been increased but was unsure of the exact amount allocated and was unable to confirm that the money would be used purely for roads. He did say that potholes would have priority of any funding. Cllr. Patch had informed him that more potholes had appeared in the Parish causing damage to vehicles and being a danger to pedestrians. She also said that there were concerns that the contractors repair the

potholes but weeks later it had all washed out and the pothole was again a problem. This was a common expressed concern and was the Council paying contractors for inadequate repairs. Stephen Kelly had advised that work in Offwell Mill Lane heading towards the top Colyton/Honiton road would be carried out shortly along with Drummerstone Cross to Cleave Cross. Cllr. Patch had asked if senior executives from DCC Highways could attend future meetings to answer questions relating to finance, future plans and feedback. Stephen Kelly was looking into the matter of a 30mph speed limit for Tower Road and the unnamed lane past the Bishops Tower.

She had also reported the pipe blockage between Drummerstone Cross and Blacklands Bungalow to Highways England.

The Clerk advised that he had reported debris – mud and stones on Tower Road following the farm sale in adjoining fields. This had now been mainly cleared up.

The Clerk stressed to the meeting the importance of reporting any potholes or any problems relating to the roads on the DCC Highways problem reporting website page. Highways used such reports to assess where repair work was needed and priorities. If potholes or other road problems within the Parish are not reported officially in this manner, Highways will have no record of the problem and when there is funding available for repairs it will be used elsewhere in other parishes/towns who have their problems recorded with Highways.

## **6. Correspondence**

The Clerk reported that the following correspondence had been received: -

- a) Email from Carn to Cove (the Cornwall rural touring scheme) and villages in Action asking for support and a small annual grant. Noted.
- b) Email from DCC that Parish Paths Partnership (P3) grants have been allocated and payments issued from DCC. The Clerk said that a payment of £100 had been received. Cllr. Tristram said that the grant was towards work needed on Bridle Path No. 17 in the Woods.
- c) Email received from EDDC about a car parks consultation on their proposed changes to car parking charges in their 41 off street pay and display car parks. The Clerk to forward this on to Councillors for them to respond to him with any comments so that he can complete one co-ordinated questionnaire on behalf of the parish council. The clerk to also ask for the consultation to be publicised on the village website.
- d) Email from Woodbury Parish council offering a single 5-a-side steel goal mouth, free of charge. Noted.
- e) Email newsletter from DALC. Circularised to all Councillors.
- f) Email alerts from Devon and Cornwall Neighbourhood Alert . Circularised to all Councillors.

## **7. Finance**

The Clerk advised that due to the dates of the Council Meetings, the PAYE payments had fallen out of kilter with the HMRC PAYE end of year and requested that a further payment of £45.80 to HMRC should be considered for the final period up to the end of the tax year. It was proposed by Cllr. Brake, seconded by Cllr. Whithear, all in favour that this be added to the Payment Items to be considered.

Cllr Tristram proposed, Cllr. Brake seconded, all in favour that:

- a) £237.92 be paid to the Clerk for the period 5<sup>th</sup> February 2018 to 5<sup>th</sup> March 2018
- b) £46.00 be paid to HMRC for PAYE for same period

- c) £48.00 be paid to DALC for Clerk's GDPR Course.
- d) £160.27 be paid to A Dimond for stationery and printer toner.
- e) £45.80 be Paid to HMRC for PAYE for the period 5<sup>th</sup> March 2018 to 2<sup>nd</sup> April 2018

## 8. Bank Statements

The Clerk advised that there was £9,990.22 in the current account (after allowing for 3 uncleared cheques) and passed for Councillors perusal the Bank Statement dated 29th March 2018

## 9. Planning Applications

There were no applications to consider.

## 10. General Data Protection Regulations (GDPR)

The Clerk gave a brief verbal report on the implications for the Council of complying with GDPR and advised that there would be a considerable amount of work involved. It would involve firstly documenting what personal data the Council holds, where it came from and who it shares the data with.

An inventory audit would have to be completed of all data held, to whom it relates, what data is it, does it include sensitive data, what is it for, why do we have it, are we legally obliged to hold it, have we got a contract or privacy notice relating to the data subject, if we have got a contract or privacy notice relating to the data subject, if we have a contract with the data subject, does it demonstrate all necessary consents, with whom do we share this data, who is responsible for keeping this data, how often is it checked, how long we keep it for, where is it held and in what manner, how is it protected and any action that is needed. This audit would have to relate to the following categories :- Staff, Councillors, Contractors/Suppliers, Residents, Community Organisations, Planning, Property and general contacts.

A Policy would have to be adopted to cover all the rights individuals have, including how the Council would delete personal data or provide data electronically and in a commonly used format. Privacy notices would have to be drafted and adopted. The lawful basis for the Council processing personal data needs to be identified and documented for all categories.

A procedure would have to be adopted on how the Council will deal with any subject access requests within the prescribed timescales.

The Council would need to review how it seeks, records and manages consent. Wordings for letters seeking consent would have to adopted.

A procedure would also have to be adopted to make sure that the right procedures are in place to detect, report and investigate a personal data breach. Any data breach **must** be reported within 24 hours under the new regulations. The Clerk said that a data security breach can happen for several reasons: Loss or theft of data or equipment on which data is stored, inappropriate access controls allowing unauthorised use, equipment failure, human error, unforeseen circumstances such as fire or flood, hacking attack, Blagging offences where information is obtained by deceiving the data holding organisation.

The Clerk pointed that GDPR does not just apply to electronic data but also to manual paper records.

One of the key points is to minimise the risk to information privacy- the risk of harm through use or misuse of personal information. The Information Commissioners’ Office (ICO) says that some of the ways this risk can arise are through personal information being: Inaccurate, insufficient or out of date, excessive or irrelevant, kept for too long, disclosed to those who the person it is about does not want to have it, used in ways that are unacceptable to or unexpected by the person it is about, or not kept securely. The council would need to take full account of these requirements in a Data Protection Impact Assessment.

Specific requirements apply to any data processing activity relating to children, but the Clerk said that he did not believe that the Council would be holding any data relating to children.

The Clerk advised that the National Association of Local Councils (NALC) and the Society for Local Council Clerks (SLCC) are still discussing with Government the matter of who can be the Data Protection Officer for small councils. Further guidance is expected within the next few weeks.

The Clerk said that he was planning to have completed all the work and have the necessary policies drafted ready for adoption at the May meeting in advance of the 25<sup>th</sup> May implementation of GDPR. He thanked the Chair and Vice Chair for their kind offer of assistance if he needed it.

The Clerk mentioned that GDPR would apply to any of the village organisations holding personal data and that they should refer to the ICO website for information and advice on what they need to do in order to comply with the new regulations. The legal basis on which they are holding any personal data would probably be different to that applying to Councils and as such may require different policies, consent forms and procedures. The ICO website contains useful information and advice on what organisations need to do.

## **11. Annual Parish Meeting**

The Clerk said that there had been a suggestion from a member of the public at the last meeting to ask a representative from Feofees to give the talk at the Annual Meeting. Cllr. Mulrain had since suggested that a representative from Devon and Somerset Fire and Rescue Service give the talk/presentation on the subject of “Home Safety”. It was felt by all that this would be of interest and benefit of all parishioners, particularly in view of the serious household fires within the parish in recent years. It was proposed by Cllr. Brake, seconded by Cllr. Tuke that the Parish Council invite Devon and Somerset Fire and Rescue Service to give the talk. All in favour.

It was proposed by Cllr. Tristram, seconded by Cllr. Brake that the Council provide some wine and nibbles for the Annual Meeting, up to a cost limit of £40.00. All in favour.

The Annual Meeting to be held in the Jubilee Room starting at 8.15pm, after the Council Meeting which will start at the earlier time of 7.00pm than the normal time.

## **12. Minutes & Correspondence**

Cllr. Staunton had requested this item be included on the agenda but as he was not present, it was agreed to reschedule this item for inclusion on the agenda for the next meeting.

## **13. Agenda items for Next Meeting**

Minutes & Correspondence

## **14. Date and time of Next Meeting**

The next meeting will be on Monday 21<sup>st</sup> May 2018 at 7.00pm followed by the Annual Meeting both in the Jubilee Room. The meeting closed at 8.40pm.

Signed..... Date.....









