

Widford Parish Council

Minutes of the Widford Ordinary Parish Council Meeting
Tuesday 7th November 2017 at 7.30pm in the Village Hall



PRESENT: Cllr Jill Buck, Chairman (JB); Cllr Babs Edwards (BE); Cllr Paul Riddle (PR)

County Cllr Eric Buckmaster, District Cllr Robert Brunton and seven other members of the public

Clerk: Colin Marks, Clerk to the Parish Council

The Chairman welcomed everyone and opened the meeting at 7.30pm

ACTION

17.098 Apologies for absence

1. Councillors: Cllr Carol Blackett - unwell
2. Others: Sgt Duncan Wallace, PC Steve Blanks, Nigel Millar, Jo King

17.099 Declarations of Interest and requests for dispensations

1. **Interests:** None declared
2. **Dispensation requests:** None received

17.100 Casual vacancy: No applications received

17.101 Minutes of the Ordinary Parish Council Meeting held on 5th September 2017

It was unanimously **RESOLVED that the Minutes of the Parish Council Meeting held on 5th September 2017 were a true and accurate record.** The Chairman signed the Minutes.

JB/Clerk

17.102 Police report. The Chairman read reports that were sent in by Nikki Royall and PC Steve Blanks:

Crime figures for 2/8/17 to 2/11/17:

2 thefts (incl one of a motor vehicle); 1 burglary non-dwelling

Comparing with 2/8/16 to 2/11/16:

4 thefts (incl one from a motor vehicle); 1 burglary dwelling

The non-dwelling burglary was a garage break, and with DNA evidence, a suspect has been identified and will shortly be arrested.

For the month of September 2017, the single vehicle crime compares with 75 similar offences across East Herts, where a total of 519 various crimes were recorded.

17.103 Chairman's announcements: None

17.104 Planning

1. New Applications

3/17/2353/HH 5 Priory Farm Yard: Single storey rear extension.

The Parish Council had NO OBJECTIONS

Clerk

2. Decision Notices

3/17/1960/FUL Lambs Cottage, High Street: Subdivision of existing detached house back into two self-contained residential dwellings; erection of a two storey rear extension and two new front porches. **GRANTED**

3/17/1821/FUL Platts Bungalow, Howletts Road: replacement dwelling and garage.

GRANTED

3/17/1796/PNHH 12 Benningfield Road: Single storey rear extension: max depth 4.7m; max height 3.2m; eaves height 2.65m **PRIOR APPROVAL NOT REQUIRED**

3/17/1703/FUL Ash View Nursing Home: Erection of Care Home.

REFUSED

3/17/1592/FUL Wayside, High Street: Erection of 3 detached and 2 semi-detached dwellings.

GRANTED

3/17/1448/HH 2 Priory Farm: Single storey rear extension.

GRANTED

3/17/1559/FUL & E/17/0106/ENF: Stables, Pegs Lane: Change of use of land for stabling and

residential. 1 static caravan, 1 touring caravan, parking and development for one Romani Gypsy family – part retrospective. *DECISION AWAITED*

3/17/1182/FUL Corner of Levenage Lane & Hunsdon Road: Change of use of land and erect 3 houses. *GRANTED*

3/16/1164/FUL Land South of Martlets: Erection of 1no 5 bedroomed dwelling, 5no 4 bedroomed dwellings, 5no 3 bedroomed dwellings, 5no 2 bedroomed dwellings and 2no 1 bedroomed dwellings, and associated works. *GRANTED WITH CONDITIONS*

3. Other planning matters, including items received too late for the agenda

1. Late planning application

3/17/2517/FUL CPL Coal Yard site: Demolition of existing buildings and erection of 5 detached dwellings and 2-storey office building.

The Parish Council had the following OBJECTIONS:

1. The site is at the bottom of the Ash Valley and has a long and documented history of flooding annually back to when it was part of the Buntingford Branch line. Since the bridge to the south was blocked, the site is more inclined to remain flooded.
2. The landowner to the south, Mr Buxton, has previously raised concerns about flooding being exacerbated by water from the area of the site being pushed downstream.
3. The proposal will increase the level of flooding on the B1004 Wareside road, already notorious for being flooded.
4. In heavy rain, water runs off the high fields to the east and the road becomes a torrent that goes into the coal yard. The road gullies above the site are continuously blocked by silt and debris that is washed down the road.
5. The entrance to the site is very steep and on a very sharp, dangerous bend. Access from the main road is difficult, and egress even more so. In icy conditions, it can be a treacherous spot, both on the main road and on the access drive to the site. The site itself is very dark and damp.
6. There are concerns at the loss of jobs from the present site.

Summary: The Parish Council's local knowledge of the site generates serious concerns about the wisdom, safety, and suitability of this application. It is unsustainable and contrary to the NPPF, to current policies ENV1 and EDE2, and to policies ED2 and DES3 of the emerging District Plan.

2. Enforcement investigation into Priory Farm hedge reinstatement: No update report received yet. A gate has now been placed across the gap – the Chairman agreed to provide a photo. FP7 was supposed to be reinstated from its present rough state when the landowner's health improved.

3. Development at Adams Farm: No news or information.

Clerk

JB

17.105 Reports by County and District Councillors

County Cllr Eric Buckmaster

Hertfordshire Local Minerals Consultation. Four sand and gravel sites have been identified in the County: three specific sites not in East Herts, and one preferred site on the Briggens Estate that is in East Herts – this may include future specific sites, subject to borehole data and any applications. Within the constraints of supply and demand, the specific sites coming forward would take the supply level to 19 years, ie to the end of the 22-year minerals plan supply.

Therefore, the lack of supply could not be used as an argument for opening up Briggens at this time. The 10-week consultation runs from 4 December 2017 to 8 February 2018. Cllr Buckmaster urged it to be made known what's in the Plan

Whole Systems Obesity Project. HCC is one of four local authorities working on this pilot, with the participation of East Herts. Obesity is a critical social, economic and health issue.

Active Ageing. Hertfordshire has received £400k National Lottery funding from Sport England to help older adults get active and remain independent, the funding split between HCC and Herts Independent Living Service (HILS).

District Cllr Bob Brunton

Referring to Cllr Buckmaster's Minerals report, he said that if the tests proved that sufficient

quantities are there for extraction, it will be very difficult to stop it going through at some point in the future. The Gilston Estate's next meeting is 8th November.

The District Plan Inspector is very strong and focused and has requested a lot of information from East Herts.

Forty homes proposed to be built on the Glebe Land south of Hunsdon is going forward with two recommendations on sustainability and infrastructure.

17.106 Finance

1. Report of the Council's finances for 1 September to 31 October was received (Appendix A)

<u>Finance Summary from 1 Sept to 31 Oct</u>	£
Opening bank balance 1 Sept	8,934.68
Plus: income to 31 October	6,437.28
Minus: expenditure to 31 October	<u>1,707.83</u>
	13,664.13
Minus previous months' cheques cashed in period	<u>255.00</u>
Balance available to Council 31 October (cashbook balance)	13,409.13
Plus: unrepresented cheques as at 31 October	<u>250.00</u>
Bank balance: reconciled with bank statement, 31 October 2017	<u>13,659.13</u>

Reconciliation of the Accounts to the bank statements was noted and it was unanimously **RESOLVED that the Accounts Statements for September and October be accepted.**

Clerk

No non-signatory councillor was present to verify the bank statement and accounts reconciliation.

2. Financial position against budget

The Clerk presented the position as at 31st October, with a projection to the year-end. Budgeted income was £13,674; the currently projected income is £14,236. Budgeted net expenditure was £10,907; the currently projected net expenditure is £12,378. Part of the variation is due to additional costs for administration of the Transparency Code, although those will be totally offset by grant from HAPTC. However, a possible additional £950 expenditure has now been factored in his year in preparation for the incoming General Data Protection Regulation (GDPR) – see Agenda item 17.107 below. The budget gave a year-end bank balance of £8,192, now projected to be £6,923 based on currently available information. The report was noted.

Clerk

3.1 Draft 2018/19 budget suggestions

The Clerk presented some suggestions as a basis for future discussion. The introduction of GDPR in May will potentially impact costs for the year which are not yet possible to quantify. The budget and precept to be decided in January.

Clerk/
ALL

3.2 Reinstatement of the open churchyard maintenance grant

It was **RESOLVED to allow David Scott to make a statement.** Mr Scott said it was fully understood that other obligations resulted in the Parish Council withdrawing its grant support a couple of years ago, but the PCC's current budget is stretched to the limit. Unfortunately, there were problems in the retaining continuity of maintenance contractors which led to the churchyard becoming unkept. Mr Scott said that the Parish Council's help would be greatly appreciated. The Chairman noted that this was a wider issue for the parish and not just the church. Therefore, it was **RESOLVED to consider the matter in January when looking at the 2018/19 budget.**

Clerk/
ALL

4. List of payments. It was unanimously **RESOLVED to approve all the payments as listed**

Clerk

Date	Payee	Item	£	Chq	Power
22/9	J English	Litterpicking Sept	116.00	S/O	OSA 1906 s9 & s10
29/9	Clerk	Salary Sept + Transparency pay	241.93	1111	LGA 1972 s112(1), (2A) & s151; LA 2011 s41
29/9	HMRC	PAYE July-Sept 2nd Quarter	210.60	1112	LGA 1972 s112(1), (2A) & s151; LA 2011 s41

2/10	BDO LLP	Audit Ann Return	100.00	1113	LGA 1972 s111
2/10	JB Garden Serv	Twitchell ditch	70.00	1114	OSA 1906 s9 & s10
2/10	Imp. Training	AED pads	61.19	1115	PHA 1936 s234
18/10	Clerk reimburse	Printer ink	102.30	1116	LGA 1972 s111
22/10	J English	Litterpicking Oct	116.00	S/O	OSA 1906 s9 & s10
31/10	Clerk	Salary Oct + Transparency pay	250.00	1117	LGA 1972 s112(1), (2A) & s151; LA 2011 s41
1/11	C Parrott	Cutting Closed Churchyard 4 of 4	240.00	S/O	LGA 1972 s215
7/11	Clerk	Expenses Sep/Oct	34.30	1118	LGA 1972 s112(1), (2A) & s151; LA 2011 s41
7/11	Clerk Petty Cash	Top-up Sept/Oct	9.22	1119	LGA 1972 s111
7/11	British Legion	Poppy wreath	50.00	1120	LGA 1972 s137
7/11	Information Commissioner	Data Protection registration	35.00	1121	LGA 1972 s111
7/11	D Stephenson	Allotments	50.00	1122	SHAA 1908 s29(2)
Recoverable VAT included			38.26		

Cheques for 7th November were signed at the end of the meeting.

JB/Clerk

5. Annual Return 2016/17:

1. It was **RESOLVED to accept and approve BDO's certification of the audit.**
2. The qualification notice for Box 9 was noted: AED asset register value changed to nominal £1 as directed by BDO (having not been purchased from Parish Council funds).
3. It was noted that the Conclusion of Audit notice was published in compliance with Audit Regulations.

Clerk

17.107 General Data Protection Regulations (GDPR) Due to be enacted 25 May 2018

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

The main points emerging at the moment (by no means comprehensive and subject to change) are:

- GDPR has passed into law but will not be enacted until 25 May 2018. All procedures must be in place by that date for councils to operate within the new Regulations.
- Ownership of personal data (as defined under the 1998 DPA) will be reversed and revert back to the individual. Councils must have express permission or a demonstrable right to hold personal data and must protect it from loss.
- Councils must, by law, register with the Information Commissioner (ICO) as the Data Controller (DC) - for Widford PC, that is being done now. An individual within the Council (usually the clerk) may be the administrator.
- A Data Processor is anyone who processes personal data on behalf of the Data Controller (eg for the website, payroll etc, and possibly councillors and officers in certain roles).
- All public organisations are required to engage a Data Protection Officer (DPO) who is responsible for overseeing, policing, and driving Data Protection policy. The Clerk or a council member are probably unacceptable due to serious issues of conflicts of interest.
- There must be a contract in place between the Data Controller and the Data Processor.
- Consent: The burden of truth is reversed and councils will have to be able prove they have been given consent to hold every piece of personal data, from whatever source, or demonstrate that they have an over-riding legal obligation to hold it. The consent must be given by a specific, verifiable, action (ie not by a tick box or by a default option).
- Financial penalties: Heavy fines will be levied for data breaches. The fines will be

significantly increased where there is a lack of proper documentation and evidence of compliance and/or where there is the inability to demonstrate a legal reason for holding the data.

- Security in the processing of data will be paramount and therefore the encryption of emails may become necessary. This may pose problems where the clerk and councillors are running different systems. One suggestion is that everyone runs Microsoft 365 Office Pro (which has in-built encryption capability). The problem that many councillors use their own personal computers and may not be willing or able to run 365, has to be addressed. Potential IT costs could be involved. A dropbox or similar system may have to be used for documents. It is undetermined whether googlemail gives adequate acceptable security.
- HAPTC are currently working with an organisation called DPO Ltd to provide a DPO service for councils. They would take on a lot of the burden of responsibility. Working in blocks of 10 small councils, the cost for buying into the scheme is expected to be around £250pa.
- The clerk will be required to undergo training – possibly for 3 days - as well as to provide a comprehensive list of the electronic and hard copy data sets held by the council in order to set up the arrangement. Much of this will have to be done in the current financial year (not budgeted!)
- Things we are advised to do with some urgency:
 - Get a budget (!!)
 - Get expert advice
 - Get staff trained

The 2018/19 budget will have to provide financial contingencies. The Clerk will keep the Council informed of developments. Cllr Riddle is attending an HAPTC workshop on 15th November, and hopefully the Chairman in December.

Clerk/
ALL

17.108 Correspondence

The list of correspondence was noted as it appeared on the Agenda:

- Parishioner: correspondence re litter, volunteers and other issues in the village (17.109.3)
- Parishioner: Report of burglary and CCTV images (17.102)
- HCC/County Cllr: Bus stop and Nether Street railings repairs (17.109.5 & 109.6)
- Circle Housing: re Meadowsweet parking (17.109.7)
- Report of possible suspect on CCTV footage
- Pensions Regulator: Advising on increase in minimum contributions (not applicable)
- Parishioner re bus stop location (late addition)

17.109 Village Reports

1. Village Hall

1. The VH Chairman seems to be making good progress with the Charity Commission on the building of a sports pavilion/new hall, which is good news.
2. Archive may be incorporated into the build.

2. Allotments

Report by Cllr Babs Edwards.

- The water is back on. At some point in the future we may have to organise an independent water supply, at a possible cost of £1,500 - £2,000.
- One tenant is not continuing with their tenancy for personal reasons. The plot and tenant's fencing will be cleared.
- The reinstatement of the grazing licence is being looked at by the licensee's lawyers.

BE

3. Playing Field: No report

4. Closed Churchyard

1. **Wiseman family monument:** The PCC is arranging for a builder to attend to its reinstatement.
2. The Parish Council is unwilling to take responsibility for the open churchyard but in the 2018/19 budget will consider making a grant towards its upkeep (agenda item 106.3.2 above).

JB/Clerk

ALL

17.110 Highways, footpaths and byways

1. Footways and footpaths

Ongoing. Nothing new to report.

2. Highways

1. Bell Lane junction pothole still not fixed. The Chairman to take another photo for Cllr Buckmaster to follow up. **JB**

2. Coal yard bridge wall. The Chairman to take a photo for Cllr Buckmaster to follow up. Also check on Highways faults site to see if logged. **JB**

3. Draft Village Maintenance programme. Cllr Riddle said this will be a work in progress. Letters of enablement will need to be obtained from Herts Highways for tasks near the Highway. A parishioner asked if this meant he was not able to clear the footpath in front of his property. Cllr Riddle clarified that enablement referred only to any activities organised or approved by the Parish Council. Therefore, individuals or volunteers should not advise the Council of any work they propose to undertake in order to avoid the appearance of the PC giving its consent. **PR/Clerk**

4. Speed awareness stickers for wheelie bins

It was **RESOLVED to buy a bulk pack of stickers for residents to put on their wheelie bins.** **Clerk**

17.111 Website and Broadband

- **Website:** The incoming GDPR that will govern ownership and use of personal data may mean that it will no longer be possible to run the village bulletin. **PR**
- **Broadband:** No news to report.

17.112 Defibrillator registration

Registration with the emergency services has now been completed via The Community Heartbeat Trust. The defibrillator pads, which have a shelf-life of two years, were replaced at the end of October. **Clerk/JB**

20 people attended the recent First Aid training evening. Attendees donated £42 towards AED costs; the Council thanks them for their generosity. The money was given to the Clerk for banking. **Clerk**

17.113 Urgent matters received too late for inclusion on this agenda: None received.

There was no suspension of the meeting for public comments, although a question was raised about whether a CCTV camera could be installed at the layby, where a poached deer was recently butchered.

17.114 1. Calendar of Meetings: It was **RESOLVED to adopt the 2018 Calendar of Meetings as drafted.** **Clerk**

2. There was no decision on whether to hold regular monthly Parish Council meetings.

3. Date of next meeting: Tuesday 16th January 2018 at 7.30pm in the Village Hall **Clerk**

There being no further business, the Chairman thanked everyone for attending and closed the meeting at 10.05pm.

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