

# Barton Mills Parish Council

## Minutes for the Meeting of Barton Mills Parish Council

Held in the Village hall on Tuesday 5<sup>th</sup> December 2017 at 7.30 pm.

**Councillors Present:** Cllr. A. Dawson (AD) - Chair, Cllr. A. Harji (AH), Cllr. F. Lewis (FL), Cllr. R. Lewis (RL), Cllr. S. Mullender (SM), Cllr. P. Boura (PB) & Cllr. N. Horne (NH).

**Also Present:** Clerk – Vicky Bright.

Item		Action
	The Chairman welcomed everyone.	
	<b>Public Forum – LGA 1972, Section 100(1):</b> There were two members of the public in attendance.	
17/12/1	<b>Accepted Apologies for absence – LGA 1972, Section 85(1) and (2):</b> Cllr. G. Flack & Cllr. K. Fuller. <b>Absent:</b> None.	
17/12/2	<b>Declarations of Members' Interests (for items on the agenda) – LGA 2000 Part III:</b> Cllr. A. Dawson declared an interest in Item 6 (i). Cllr. R. Lewis & Cllr. F. Lewis declared an interest in Item 6 (ii).	
17/12/3	<b>Minutes:</b> <b>Minutes of the Parish Council meeting held on Tuesday 7<sup>th</sup> November 2017</b> Cllr. Boura asked for an amendment to Item 17/11/9 (ii), to read ' <b>Resolved 17/11/9.02</b> It was agreed to purchase replacement nets at a cost of £65 + delivery + VAT.'  The Minutes were proposed as a true record by Cllr. Dawson and all voted in favour of adoption. <b>Resolved 17/12/3.01</b> The Minutes of the Parish Council meeting of 7 <sup>th</sup> November 2017 were adopted as a true statement and signed by the Chair, Cllr. Dawson.	
17/12/4	<b>Police Matters:</b> The latest edition of your local Safer Neighbourhood Team (SNT) newsletter is now available to view on the Suffolk Constabulary website <a href="https://www.suffolk.police.uk/your-area">https://www.suffolk.police.uk/your-area</a> .	
17/12/5	<b>Local Authority Reports:</b>	
i)	Cllr. Louis Busuttil sent his apologies.	
ii)	<b>Forest Heath District Council</b> Cllr. Brian Harvey sent his apologies.	

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17/12/6

i)

## Planning Matters:

### General & For Consideration:

#### **DC/17/2435/FUL - 1no. dwelling (following demolition of existing outbuilding) (Re-submission of DC/16/1877/FUL) - Land Adjacent to The Old Maltings The Street Barton Mills**

Cllr. Boura proposed objecting to the application, on the grounds of size (height and pitch of roof) and the boundary treatment (fencing at rear) not being in keeping with the environment. Cllr. Lewis (RL) proposed objecting in principal to the application, not to a dwelling being built on the land and that it was too high and too close to the neighbouring boundary. Cllr. Mullender disagreed with the boundary treatment (fencing) comments. A vote was taken with all in favour of objecting.

#### **Resolved 17/12/6.01**

It was agreed to object in principal to the proposed plans for application DC/17/2435/FUL. "Although we do not object to a dwelling being built on the land, it is felt that the proposed dwelling is too high, with a very tall pitched roof, and is therefore not in keeping with neighbouring properties. It is also felt that the proposed dwelling is located too close to the neighbour's boundary and could overlook neighbouring properties. It is also felt that the boundary treatment, which backs onto the river is not in keeping with the surroundings and is very visible, it is suggested that perhaps the fencing could be changed or the impact reduced with planting."

ii)

#### **DC/17/2220/FUL - 1no. dwelling - Minden House Station Road Barton Mills**

The application was previously turned down due to being outside the Settlement Boundary. The Parish Council had previously submitted objections on this issue and the policy of preventing coalescence of Barton Mills with Mildenhall. Cllr. Boura proposed objecting, a vote was taken with 2 for and 2 against, with 1 abstention. The Chairman's casting vote was against the proposal.

#### **Resolved 17/12/6.02**

It was agreed to offer no further objections to application DC/17/2220/FUL.

iii)

#### **Formal Resolution of comments submitted 10/11/2017 - SCC\0182\17 - Continuation of chalk extraction; use of buildings and associated facilities together with the recycling of inert waste and restoration to an alternative landform via the importation and final disposal of inert residues - Barton Mills Chalk Quarry, Chalk Hill, Barton Mills**

Formal resolution of the comments submitted to SCC on 10<sup>th</sup> November 2017. The application was approved on 16<sup>th</sup> November 2017.

#### **Resolved 17/12/6.01**

No objections to application SCC/0182/17, but submit comments that we are in support of the existing Transport Plan being enforced with the new 24/7 extraction plan and that the agreed noise reduction scheme is enforced and included as a condition, to reduce the noise affecting the neighbouring property.

#### **Tree Applications (For Information Only)**

- **DC/17/2521/TCA - Trees in a Conservation Area Notification - (i) 1no. Willow (T1 on plan) Re-pollard (ii) 1no Spruce (T2 on plan) Fell (iii) 1no. Siris (T3 on plan) reduce by 2-3 metres and 0.5metres of lateral branches - 23 The Street Barton Mills**

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## Awaiting Forest Heath decisions and pending appeals:

a.) **DC/16/0683/FUL Retention of hand car wash operation - Car Wash Fiveways Services, Fiveways, Barton Mills – Still Pending decision.**

b.) **‘Fiveways Farm’ Update** – The Clerk advised that she had written to the Forestry Commission and Highways England (cc. Cllr. Noble, Cllr. Busuttill & Cllr. Harvey) to request when the land will be cleaned up, following Mr. Dale’s eviction, but so far she has received no response. The Clerk will follow this up.

c.) **Update on Enforcement Ref: Scaffolding Business being run from 37, The Street and the possible Institutional Home at 35, The Street.**

The Clerk read out the following update from Adam Ford, Senior Planning Enforcement Officer;

### **“EN/17/0363 - alleged use of 35 the street as an HMO**

*I have attended this site and spoken with the charity who have purchased the property. I am due to meet them on site this Friday also. However, based on what I have been told already, I do not expect this case to require further action as a dwelling can be used as a dwelling to provide assisted living for up to 6 people without the need to apply for planning permission or even notify the LPA. This provision arises from the Use Class Order 1987 (as amended) – if you would like me to clarify this further, please do let me know and I would be more than happy to assist. I will, however, reserve full judgement until I have had the benefit of a complete internal inspection on Friday.*

### **EN/17/0378 - erection and occupation of a new building**

*I have attended the site and spoken with the owner. A modest garage type building has been erected which is now being used to provide the owner with temporary accommodation whilst the new house is built. I have explained that this cannot go on unaddressed in the absence of a material commencement of the recently granted planning permission. Accordingly, having spoken to the owner’s planning agent, I have been advised that an application for a temporary permission will be submitted to regularise the matter. Upon completion of the project, the building – if approved – would revert back to a garage / ancillary building.*

### **17/0345 – use of the land for scaffolding business**

*I have attended on numerous occasions but have been unable to gain entry into the property. As such, I will be issuing a formal written correspondence today. If this does not elicit a response, I will issue a Planning Contravention Notice.”*

17/12/7

### **Clerks Report Matters Arising from the Minutes of the Last Meeting (For Info Only:**

The Clerk confirmed that the Highways works to install the bollards on Old Mill Lane had now been completed.

The Clerk advised that there are still places available on the ‘Understanding Planning’ Training on 15<sup>th</sup> January 2018, and that she had booked a place for Cllr. Mullender.

The Clerk advised that she had received notification that the External Auditor appointed for 2017/2018 would be PKF Littlejohn.

17/12/8

### **Correspondence:**

The Clerk presented a letter from Peter Alder, on behalf of the Good Neighbour Scheme,

Clerk

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asking for a donation for the forthcoming year to assist with running costs. It was agreed to add this to the February agenda to be considered.

17/12/9

## Parish Matters:

### i) **Update on New Community Notice Board for the Playing Field**

Cllr. Lewis (FL) advised that she had submitted applications to the District and County Councillors for grants from their Locality Budgets. Once the grants are received the Village Hall Committee will order the board, delivery can take 35-42 days. Cllr, Boura advised that Peter Cumber has confirmed he would be happy to install the board when it arrives.

FL/Clerk

### ii) **Update on Play Area/Field Repairs and Maintenance**

Cllr. Boura advised that the repairs are now completed, the gates have had a second coat of paint. The basketball board has been painted and Cllr. Horne has done an excellent job painting the black border, thanks go to him and Cllr. Boura. Cllr. Boura also confirmed the new football net has been put up.

### iii) **Defibrillator Opening Event**

The event will be held on Sunday 9<sup>th</sup> December 2017 at 3pm at the Bell Pub. Cllr. Boura confirmed the refreshments are arranged and Terry Waters has been invited to unveil the Defibrillator. The Clerk confirmed that she had invited Community Heartbeat Trust and Chris Hall, Electrician and arranged for the Bury Free Press to attend. Thanks go to Cllr. Boura and Malcolm Boura, Terry Waters and the Tony Morley Fund, Chris Hall, G. R. Peachey for the plaque and also to Community Heartbeat Trust for all their help and hard work.

### iv) **Peace Garden – To Consider Designs**

Cllr. Lewis (FL) confirmed there had been 9 responses from the consultation, there seems to be a strong preference for a more formal garden. Councillors considered three designs submitted from Mr & Mrs Berrett, Robert Ayers and INL Landscapes. It was agreed to have a formal garden with a combination of hard landscaping (cobbles, paving, gravel) and flowers/plants. It was agreed the height should be kept low, to avoid visibility problems when exiting the car park. It was agreed to keep the current shape of the garden, with circular hard landscaping inside, with a hard landscaped border, infilled with an assortment of plants (grasses, carpet roses, perennials and low growing shrubs, evergreen etc. central tree (Salix?), the colour scheme is agreed as white, blue, silver and purples, and gravel covering over weed membrane. It was agreed the garden should be low maintenance, with hardy and drought/salt resistant plants. It was agreed to retain the posts and fencing around the garden to stop people climbing on the plants.

Cllr. Lewis (FL) confirmed there have been grants offered of £250 from Paul Kerridge and £500 from Cllr. Harvey from his District Locality Budget.

The Clerk is to provide the three quote's with the final agreed specifics and design ideas and get final designs and quotes, these will be presented at the January meeting for final approval for one to proceed.

Clerk

### v) **Update on Street Lighting Program & UKPN Update**

Cllr. Boura advised that the redundant lamp in Worlington Road was yet to be removed, due to traffic management obstructing the access, this is on the Works list to do. There has been no progress made in moving the light in Bell Lane, which has been obstructed by a new electricity pole. UKPN and BT are yet to complete the work there, so this will be followed up after they have finished.

PB

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**vi) Affordable Housing Update**  
 The Clerk confirmed that Isobel Wright, Hastoe Homes had a meeting with Claire Tilbrook regarding a possible site, Isobel is to take this site and the other proposed sites to Planning and Highways to get feedback and will update us on any progress made. The Clerk is to confirm with Isobel, which site of the Tilbrook's is being considered.

Clerk

**vii) Boot Sales 2018**  
 The meeting was held on Thursday 30<sup>th</sup> November 2017 at 6:30pm, in the Church Room.  
 Present were;  
 Annette Dawson: Barton Mills Parish Council  
 Marilyn Badger and Anne Leakey: Women's Institute  
 Garry Flack: Allotments  
 Nancy Higgins: Village Hall and Church  
 There was no representative from the Football Club and Frances Lewis sent her apologies.

The following was agreed:

Day	Date	Hall	Field	BBQ
Easter Monday	02/04/2018	Village Hall	Village Hall	-
May Day	07/05/2018	WI	WI	-
Spring Bank	28/05/2018	Church	Allotments	Football Club
August Bank	27/08/2018	Church	FC/Church	Football Club

It was agreed that the expected donation for use of the field to 10% of any takings up to a maximum of £100 (as agreed at the Parish Council Meeting in December 2016)

**viii) Football Coaching – Further sessions to be considered**  
 It was discussed that any further sessions be held only in the Half Term's (February, October) and the Clerk is to approach Abbeycroft Leisure and the College for funding or assistance with coaches.

Clerk

**ix) Update on Santa Sleigh**  
 The Santa Sleigh had to be cancelled due to the difficulty in organising the logistics at short notice, due to a misunderstanding between the terms of use provided by the Crime Prevention Panel, and the Parish Council's preferred itinerary. Also, there was no volunteer to play Santa and due to the short timeframe of Risk Assessment process, the decision was taken not to proceed. It was agreed that the short notice and confusion caused the project to be handled badly and to avoid disappointment in the future, there needs to be better advanced planning and better organisation.

**17/12/10**  
**i) Highways: Street Cleaning Grange Lane Update**  
 Waste Services had replied to say that as the Lane is an un-kerbed side road it will not be added to the Street Cleaning Program, but they will come out and do a one off clean with a sweeper.

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- ii) **SID Update & Confirm December Rota**  
The rota for January was agreed with Cllr. Harji and Paul Fincham volunteering for 6<sup>th</sup> January 2018, Cllr. Dawson and Andrew Dawson on 20<sup>th</sup> January 2018 and Cllr. Boura and Malcolm Boura on 3<sup>rd</sup> February 2018.

- 17/12/11 **Finance:**  
i) **Parish Council Bank Balances and Reconciliation from list of Payments & Receipts Resolved 17/12/11.01**

It was proposed by Cllr. Boura that the bank balances and reconciliation of payments and receipts be received and adopted and signed as such by the Chairman, Cllr. Dawson. All were in favour. The bank account balance as of 20<sup>th</sup> November 2017 is £26,714.76.

- ii) **Cheques for Signing and Approval & to Authorise Payment of Outstanding Invoices**  
Cllr. Boura proposed that the payments of the following outstanding invoices and the cheques be approved.

**Resolved 17/12/11.02**

It was agreed to approve the payments of the following outstanding invoices and the cheques were approved and signed by Cllr. P. Boura and Cllr. A. Dawson.

The Big Red Wine Co.	Wine for Remembrance Sunday	1557	£69.00
Mrs V Bright	Mileage & expenses	1558	£26.50
CHT	Defibrillator Paediatric pads	1559	£93.60
Mrs P Boura	Maintenance Expenses	1560	£96.90
BMVH	Outside tap repairs	1561	£80.00
Mrs F Lewis	Remembrance Expenses	1562	£37.75

- iii) **Update on Lloyds Account for Reserves and Bank Mandate Update**  
The Clerk advised that the signatory mandate is now complete. Cllr. Dawson is to go into branch and follow up on the Reserves account, following a telephone call to her from Lloyds.

- iv) **To discuss the Parish Council Email Account/Website Host Agreement**  
The Clerk advised that she had contacted 4 companies regarding the IT support, and has arranged for Budget Computers to come and look at the problem this Thursday afternoon  
**Resolved 17/12/11.03**

It was agreed to authorise up to £200 for the Clerk to proceed with any necessary repairs or solution to the problems with the email account.

- v) **GDPR Report**  
The Clerk presented the following report to Full Council;

The General Data Protection Regulation (GDPR) has direct application and provides new rules, rights and obligations relating to hard copy and electronic management and use of personal data. The Data Protection Bill is the connected and complementary legislation which is currently passing through Parliament.

Although the interpretation and application of the legislation **is not fully clear at this stage**, there are certain requirements that are known and, accordingly, there are steps that the

AD



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Council can take to work towards compliance by the relevant date of 25 May 2018.

The process of ensuring compliance and conducting an assessment of the Council's processes will help the council to focus on embedding best practice data management and administration, protecting the rights of individuals and, avoiding the interruption to business and costs associated with breaches and enforcement.

The application of the requirements to **local councils and parish meetings** is confirmed in the wording of the legislation, in briefings from NALC lawyers and in a letter of 21 September 2017 from the Department of Department for Digital, Culture Media & Sport. **It seems highly unlikely that the provisions will be disapplied to local councils and parish meetings.** Further sector specific guidance is anticipated in due course.

The new rules apply to data controllers and processors of personal data. The Council holds personal data including personnel information and records relating to members of the public. As a processor of data, the Council will have additional controls and, as a public body, it must appoint a Data Protection Officer (DPO) to advise and support the Council.

The Council may employ a DPO or appoint an external party. It cannot be a councillor as they are insufficiently independent. The DPO must have sufficient expertise for the role and would need to attend training. To date, the only training accessed by the Council has been introductory training held by SALC and the DPO Centre (an external commercial provider of data protection services), which has been helpful in providing an initial understanding of what is known and unknown about the data protection framework at this time.

The DPO must represent the interests of individuals about whom data is held and, as such, should not be the person who determines the purpose or manner of processing personal data. We are waiting for definitive advice from NALC lawyers through SALC, but provisionally we have received an indication that, as things stand, **it seems likely that their advice will be that the Clerk cannot be the DPO owing to their inherent conflict of interest.** Use of a third party would not absolve the Council from the need for responsible practices and the need to deal appropriately with any breach.

Councillors will need to be mindful of the need for tighter controls over emails and data-sharing. In particular, it will be necessary to encrypt or anonymise personal data and ensure that personal data is only processed where lawful to do so. It is important that initial work is conducted within the Council to ensure its administrative and electronic systems are suitably robust with data being suitably controlled and sharing suitably restricted.

## **Resolved 17/12/11.04**

1. The Council is considering the available options for appointing a DPO and has accessed initial training on the new regime.
2. The Council notes that all councillors will need to develop their own knowledge in this area and will be provided with guidance to support this as and when it becomes available.

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3. The Clerk will review the administrative and data systems and seek advice as necessary to ensure compliance and will report any areas of concern to Council.
4. The Council will also consider whether it needs to obtain a third party assessment or employ the services of an external Data Protection Officer service.
5. The determination of the purpose or manner of processing personal data will be delegated to Clerk until further guidance on managing conflicts of interest are obtained and/or a new member of staff/external party is appointed with DPO responsibility.
6. The Clerk will alert council to any further developments and guidance.
7. The Clerk will contact the Council's insurers to determine the scope of any insurance cover in connection with the new rules and to determine whether there are any additional requirements from the insurers in order for any insurance to be effective.
8. The Clerk will contact the Council's contractors to determine the steps that are in hand to ensure that they are compliant with the new rules.

The DPO Centre Ltd can provide a quality, cost effective and appropriate route for councils of all sizes and complexities. To ensure this is delivered in the most cost-effective way, group sessions will be organised at SALC, with the smallest councils being assessed in groups of 10 (so that the cost can be equally divided), through to large councils being assessed individually. A similar process will be used to provide ongoing outsourced Data Protection Officer services. These will be allocated based on the level of input expected for the size and complexity of each council, and to enable the DPO to complete the necessary documentation to demonstrate our accountability and compliance. The approximate predicted costs for Category 3 (5k-25k, precept) are that we should be budgeting £800 for the first year with £400 for the second year+. The Clerk is working liaising with SALC to access this service when it is established and ready. The Clerk is to write to the MP, Matthew Hancock, to point out the disproportionate burden that this places on Parish Councils.

Clerk

vi) **Suggestions for Items of Expenditure to be included in the 2018/19 Budget**

- GDPR
- New Toddler Swings
- Football Coaching
- Peace Garden
- Training Budget (GDPR / Planning)
- Football Goal Posts (small set)

17/12/12 **Barton Miller Back Page to be agreed**

No January edition.

17/12/13 **Councillors Reports and Items for the next agenda**

i) **External Meetings that Councillors may wish to report upon**

Cllr. Lewis (FL) sent apologies to the SALC meeting.

ii) **Councillors Reports**

None.

iii) **Items for Future Agendas**



# Barton Mills Parish Council

- 2018/2019 Budget & Precept
- GDPR & DPO Update
- Email Update
- Affordable Housing Update
- Football Coaching Sessions to be agreed
- Peace Garden Design to be Agreed
- Update on Reserve Account
- Worlington Rd Street Light Scheme / Street Light Works/UKPN Update
- Notice Board (Playing Field) Update
- 'Fiveways Farm' Update

The next meeting will be held on Tuesday 9<sup>th</sup> January 2018 at 7:30pm, in the Church Room.

There being no further business the meeting closed at 9:19pm.

**Signed:** *Annette Dawson*  
**Chair, Barton Mills Parish Council**

**Date:** 9<sup>th</sup> January 2018

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