



Highwood Parish Council

66 Victoria Road, Writtle, Chelmsford CM1 3PA

1 May 2018

To: MEMBERS OF HIGHWOOD PARISH COUNCIL

You are hereby summoned to attend the annual meeting of Highwood Parish Council to be held at 7.30 pm on Wednesday 9 May 2018 in the Village Hall, Loves Green, Highwood CM1 3QG, to transact the business shown in the agenda.

Please note the Annual Parish Assembly will be held prior to the Council meeting, at 7.00 pm.

The press and public are welcome to be present.

Louise R Fuller
Clerk

A G E N D A

- 1 **ELECTION OF CHAIRMAN** 
To **ELECT** the Chairman of the Council for the year 2018/19.
The Chairman will then execute the Declaration of Acceptance of Office as Chairman.
- 2 **APPOINTMENT OF VICE CHAIRMAN** 
To **APPOINT** the Vice Chairman of the Council for the year 2018/19.
- 3 **APOLOGIES FOR ABSENCE**
To **RECEIVE** any apologies for absence.
- 4 **CONFIRMATION OF MINUTES** 
To **APPROVE** the minutes of the meeting of the parish council held on 14 March 2018 as a correct record.
- 5 **DECLARATIONS OF INTEREST**
 - 5.1 Councillors to **DECLARE** any disclosable or other pecuniary interest or other interest in any items on the agenda, in accordance with the adopted Code of Conduct.
Pecuniary or other interests should be declared at this time, or at any point in the meeting where they become apparent.
Councillors must inform the Monitoring Officer of Chelmsford City Council, via the Clerk, within 28 days of becoming aware of any change in their pecuniary or other interests. Members are reminded to check that the information contained on their Register of Interests forms remains up-to-date.

5.2 DISPENSATIONS 

To **CONSIDER** any requests for dispensation from the provisions of S31(4) of the Localism Act 2011.

S31(4) states that a member may not participate in any discussion or vote upon a matter, at the meeting, in which he/she has a disclosable pecuniary interest.

Requests for dispensation must be made in writing to the Clerk.

6 QUESTIONS FROM MEMBERS OF THE PUBLIC

To **RECEIVE** questions from members of the public.

In accordance with the agreed procedure public questions will be taken and shall be limited to a maximum of 15 minutes or such other period as may be determined by the Chairman of the meeting.

7 CO-OPTION OF NEW PARISH COUNCILLOR 



Peter Fishwick has applied to be co-opted on to the parish council. His form confirming eligibility has been received and his personal statement has been circulated to councillors.

The council will be asked to **CONSIDER** the application for co-option. The council is not bound to co-opt the candidate if it chooses not to do so.

8 REPORTS

To **RECEIVE** brief reports on the following matters.

Chelmsford City Council

City Cllr N Chambers (unable to attend)

Essex County Council

Cty Cllr J Aldridge (unable to attend)

Play park, Edney Common

Cllr D Cameron

Village Hall

Cllr C Sargent

Public Rights of Way

M Martin

Mandy reports that the paths are still muddy. A couple of bins have gone missing. She is reporting a lot of flytipping to CCC.

9 REPORT OF THE CLERK

To **RECEIVE** the report of the clerk.

1 Annual Parish Assembly

The statutory agenda was placed in noticeboards and on the website, along with a small poster which included more information about the nature and purpose of the meeting. An advertisement was also placed in the May parish magazine.

2 Mobile library service

Following ECC's consultation about the future of the mobile library service, the review decided that there would be no mobile library service in Cooksmill Green from 3 April 2018, and the visits to the school in Loves Green would take place three-weekly on Thursdays, and last for half an hour.

3 Letter to Lord Petre re: deer



Lord Petre's emailed reply has been circulated to councillors.

4 HMRC annual returns for PAYE and VAT

These have been successfully submitted before the statutory deadline. In

2017/18 the council paid more in VAT than it collected, so a refund of £20.05 has been paid by HMRC.

Payroll for the new tax year has been started.

5 Litter Pick 2018

A successful litter pick was carried out; thanks to co-ordinator Lynda Horsnell.

10 DATA PROTECTION

 See report at end of agenda. Councillors are requested to consider it carefully and suggest any additions or amendments. The council is then asked to **AGREE** the Privacy Notice. The Notice is a starting point and may need revision in the light of experience and developments in advice received.

11 CHELMSFORD CITY COUNCIL; CONSULTATION ON PUBLIC SPACES PROTECTION ORDER

Chelmsford City Council is consulting on its proposal to introduce a Public Spaces Protection Order to control fly-posting and roadside advertisements. It is hoped to be able to circulate an email copy of the proposal; if not possible, the clerk will scan the hard copy and forward it.

The council is asked if it wishes to comment on the draft order.

12 PLANS FOR PLAY AREA ON GRASS AT REAR OF VILLAGE HALL

Cllrs Latham and Sargent have been working on this project. Their conclusions and recommendations will be circulated shortly for consideration.

13 FINANCE

13.1 Accounts for payment

To **APPROVE** the accounts for payment (list will be available at the meeting).

13.2 To **NOTE** the account balances as at 30 April 2018.

13.3 To **REVIEW** the council's risk assessment and management document. A  copy has been circulated to councillors. 

13.4 Annual Governance and Accountability Return (AGAR) 2017/18

 The system has changed slightly this year. The return has a new name, is set out differently and all the documentation comes electronically rather than in hard copy. There are other small changes. A copy of the form has been circulated. The first page is the Annual Internal Audit Report (AIAR), left blank. Section 1 on page two is the Annual Governance Statement and is also left blank. Section 2 on page three is the Accounting Statements for 2017/18; this has been completed.

1 To consider the report of the Internal Auditor

Mrs N Powell Davies has agreed to continue as the council's internal auditor.

Mrs Powell Davies is currently carrying out the internal audit of the council's accounts. She hopes to have completed the AIAR by the time of the meeting. (Please note that the timescale is tight, with the financial year end on 31 March, then the clerk has to get all the necessary documents etc completed and the internal auditor has to

review them, along with all her other local council clients who are working to the same timetable, so a possible delay is inevitable.) The council is asked to **NOTE** the AIAR if it is available.

If the full internal audit report is available by the time of the meeting it will be circulated to councillors. The council is asked to **NOTE** the report and consider its recommendations and any necessary actions arising from it.

If the report is not available, it will be considered at the next meeting. The requirements for the financial year will have been met anyway as the last report was considered in July 2017 (i.e. within the financial year 17/18).

2 Annual Governance Statement

The council is required to have a sound system of internal control which

- i facilitates the effective exercise of its functions and the achievement of its aims and objectives
- ii ensures that the financial and operational management of the authority is effective
- iii includes effective arrangements for the management of risk;

and it is required to review the effectiveness of its system of internal control prior to answering the questions asked in Section 1 of the AGAR, the Annual Governance Statement. Considering the questions asked in the Annual Governance Statement constitutes a review of the system of internal control.

The council is asked to **CONSIDER** the questions asked in section 1 of the AGAR, the Annual Governance Statement, and **DECIDE** its answers.

For information, in respect of qu. 4, electors' rights, the clerk can confirm this has been complied with.

3 Accounting Statements

The council is asked to **AGREE** Section 2 for submission to the external auditor, PKF Littlejohn.

4 Additional information

As the Annual Return is very basic, additional information which is more useful to the council has also been circulated and should be **NOTED**. This comprises a summary Receipts and Payments account comparing 2016/17 with 2017/18 and including the budget for 2017/18, and explanatory notes.

13.5 Review and renewal of council's insurance

The council's insurance is due for renewal on 1 June. Last year was the final year of a three-year agreement with Zurich. Zurich has quoted a premium of £254.96 inc. taxes for the coming year. This compares with £250.45 for last year. Zurich is not offering a long-term agreement this time.

 The renewal invitation has been forwarded to councillors for information (please note that it is incorrect where it mentions the option of a long-term agreement).

A simple summary of the council's cover is as below; please ask for full details or refer to the policy documentation if required:

Public Liability	£12,000,000 Limit of Indemnity
Employer's Liability	£10,000,000 Limit of Indemnity

Libel and Slander	£250,000 Limit of Indemnity
Money	Non-negotiable money £250,000
	Other Money – see policy
Fidelity Guarantee	£250,000 Limit of Indemnity
Legal Expenses	£100,000 Limit of Indemnity
Personal Accident	Capital Benefits £50,000
	Temporary Total Disablement £200pw

The council's property is not insured for damage, theft etc. The question of insuring the garages is still not resolved.

The council is asked if it wishes to **ACCEPT** the renewal from Zurich or to ask the clerk to seek other quotations.

13.6 Cheque signatories

To confirm cheque signatories/on-line banking authorisations for 2018/19; currently Cllrs. Cameron, Latham, Horsnell and Sargent.

14 HIGHWAY MATTERS REPORTED BY COUNCILLORS AND CLERK

- 1 Speeding Traffic (standing item)
- 2 Street lights by Montague's Farm and the village hall obscured by overhanging branches, hedges need trimming, especially by the path from Loves Green to the church and from Church Farm to Writtle Park Farm entrance, flooding opposite Church Farm and in Wyse Road (parishioner & Cllr Sargent)

15 COMMUNICATIONS AND CORRESPONDENCE

To **RECEIVE** such communications and correspondence as the Clerk may place before the Council.

-  1 email has been circulated to councillors re: consultation on unauthorised developments and encampments; the council is asked if it wishes to comment.

16 DISTRIBUTION BAG

None.

17 DOCUMENTS ON DEPOSIT

To **RECEIVE** notice of the following documents received by or deposited with the Clerk.

None.

18 PLANNING APPLICATIONS

- a) To **NOTE** the parish council's comments made on planning applications between meetings.

App. no.	18/00310/FUL
Location	Annexe, The Old Granary, Old Barns Lane
Proposal	Change of use of an annexe to a separate dwelling house
Comment	No objection

App. no.	18/00530/FUL
Location	Loves Green Cottage, Loves Green
Proposal	Single storey front extension with a new porch
Comment	No objection

App. no. 18/00549/FUL
Location Ewsons Farm, Ongar Road
Proposal Part two storey, part single storey front, side and rear extension with rear Juliet balcony. Solar panels to front of garage.

Comment Objection. The application is overdevelopment, and inappropriate in the green belt. There is no reason why an agricultural tie would prevent the sale of the property, and this is not a justification for needing to expand. There is an existing planning permission for considerable extensions which would provide adequate accommodation, including for the needs of the applicants' daughter.

App. no. 18/00645/FUL
Location Home Lodge, Cock Lane
Proposal Demolition of existing garage to create a new play room, two storey front extension and replacement of existing mansard roof with a dual pitch roof and dormers over existing windows
Comment No objection

b) To **CONSIDER** the following planning application. 

None.

c) To **CONSIDER** any other planning applications received since the agenda was prepared. 

d) **DECISIONS BY CHELMSFORD CITY COUNCIL**

To **NOTE** the following planning decisions by Chelmsford City Council.

GRANTED

App. no. 18/00199/FUL
Location Woodland House, Loves Green
Proposal Part two storey part single storey side extension. Chimney extension to side. Single storey front porch canopy. External alterations including alterations to fenestration and external insulation to front, rear and side elevations.

App. no. 18/00334/LBC
Location The Green Man, Highwood Road, Edney Common
Proposal Changes to existing building including replacement windows, repointing of brickwork, replacement roof tiles and thermal upgrade of existing walls (internally)

App. no. 18/00310/FUL
Location Annexe, The Old Granary, Old Barns Lane
Proposal Change of use of an annexe to a separate dwelling house

REFUSED

App. no. 18/00123/FUL
Location Field opposite Barrow Farm, Metsons Lane
Proposal Retrospective application for the siting of mobile home within the Radical Bikes site, for occupation by employees.

e) PLANNING CORRESPONDENCE

i To **NOTE** any planning correspondence received and respond to consultations as appropriate.

None.

f) OTHER PLANNING MATTERS

None.

19 OTHER URGENT BUSINESS – for information only

To **NOTE** any matter of an urgent nature which a Member or the Clerk may wish to draw to the attention of the Council, and/or request to be included on the agenda for the next meeting of the Council.

Note: no decisions may be taken during this item as the required statutory notice of the business will not have been given.

20 DATE OF NEXT MEETING

7.30 p.m. Wednesday 11 July 2018

21 EXCLUSION OF PRESS AND PUBLIC 

To RESOLVE to exclude the press and public from the following item under the Public Bodies (Admission to Meetings) Act 1960 as it contains confidential information relating to a property matter and a personnel matter.

22 PROPERTY MATTER 



Report has been emailed to parish councillors. Please note the information therein must be kept confidential and is for the information of parish councillors only.

23 PERSONNEL MATTER



Report has been emailed to parish councillors. Please note the information therein must be kept confidential and is for the information of parish councillors only.

Agenda item 10

DATA PROTECTION

The issue of data protection has been brought into sharp focus by the requirements of the forthcoming General Data Protection Regulation, which takes effect on 25 May 2018. In truth councils should already be abiding by most of the principles, albeit they may differ slightly.

Data protection applies to personal information which can identify a living person, and can include names, addresses, email addresses, phone numbers etc.

Highwood Parish Council is a data controller and data processor.

A report was made to the last meeting about the requirement for public authorities (which includes parish councils) to appoint a Data Protection Officer. This was causing considerable consternation in the sector as in most cases an external person or firm would have had to be appointed, which would have been costly and probably quite cumbersome administratively. The government has realised that the requirement is likely to be unnecessary for parish councils as they only process very small amounts of data, so an amendment to the legislation which will remove this requirement has been tabled. This will be a great relief to parish councils. Until the amendment is confirmed or defeated, it is recommended that no further action be taken in respect of appointing a DPO.

The information below is a starting point and may need to be refined in the light of experience.

The first step is to carry out a data audit to see what data the council holds and how it is used.

Personal information held	Where is it held	Who holds it/has access to it	How is access controlled	What it is used for	Legal basis for processing the personal information	How long is it kept for
Councillors' names, addresses, phone numbers, email addresses, register of interests	CCC election records, HPC files, clerk's computer, parish magazine	Public information	n/a	Public records, contacting councillors etc	Public task/statutory power	Till councillor leaves office
Employee name, address, phone number, NI no, tax	Highwood public noticeboards (name, address &	Some is public information; employment	Part n/a; other, no-one has access to clerk's	Contacting the clerk; employment	Legal obligation and contract	Seven years after leaves post (for audit reasons)

code, other employment details etc	phone number), HPC files; clerk's computer	details are kept on clerk's computer	computer	requirements e.g. HMRC		
Suppliers/contractors names, addresses, phone numbers, email addresses, bank details Grant applicants	Clerk's computer; bank details are on council's bank's website	Clerk and the council's bank	No-one has access to clerk's computer; bank access is controlled by passwords, PIN etc	Contacting suppliers; paying them	Contract	Seven years after financial year of last transaction (for audit purposes)
Garage tenants names, addresses	Clerk's computer	Clerk	No-one has access to clerk's computer	Managing garage tenancies		Seven years after financial year of last transaction (for audit purposes)
Electoral register from CCC	Clerk's computer	Clerk	Password protected	Checking eligibility to attend annual parish meeting	Statutory power	Two years
Playground accident reports	HPC files	Clerk	Access to files is limited	Dealing with an incident; insurance	Legal requirement	21 years after incident (child has three years after reaching age 18 to make a claim)

Highwood Parish Council ("HPC") Privacy Notice

- 1 HPC complies with data protection law.
- 2 HPC is a Data Controller and Data Processor.
- 3 The legal bases on which HPC carries out data processing are statutory powers, legal requirements and contracts.

- 4 HPC does not carry out automated decision-making nor profile personal information, neither does it pass it on to other organisations except when required to do so for legal reasons.
- 5 HPC does not process “special categories of data” nor that of children, except in the case of an accident report on council property.
- 6 HPC does not send personal information overseas nor use “cloud” storage.
- 7 HPC does not use personal information for purposes other than those for which it was collected.
- 8 HPC does not hold any personal information which is processed on the grounds of consent having been given so no consent form is required.
- 9 The personal data HPC holds will be used lawfully, fairly and in a transparent way. It will be accurate and kept up to date, and kept only as long as necessary for the purposes for which it has been collected. It will be kept and destroyed securely including ensuring that appropriate technical and security measures are in place to protect the personal data from loss, misuse, unauthorised access and disclosure.