

**WEST KINGSDOWN PARISH COUNCIL**  
**Minutes of the Planning Committee and General Purpose Committee to be held on**  
**Friday 9<sup>th</sup> February and Monday 12<sup>th</sup> February 2018 at the Old School Hall at 7.45pm**

**PLANNING COMMITTEE**

Members:

Cllr Stoneham ( Chairman ), Cllr Codling, Cllr Land, Cllr Mrs Richards,

**Apologies:** Cllr Yarnold, Cllr Watchorn, Cllr Christie Cllr Illingworth, Cllr Holdstock, Cllr I Bosley and Cllr P Bosley

**Declarations of Interest.** There were no declarations declared

**Planning:**

**SE/18/0072/Ful: Stanwell House: Botsom Lane:** Demolition of existing buildings and erection of 6 detached chalet style dwellings, estate road and parking places.Object

**SE/17/04051/HOUSE: St Lawrence London Road:** Proposed addition to first floor and porch to dwelling. Proposed detached garage/workshop with loft space. New Driveway. Object

**SE/18/00237/HOUSE:** 27 Howells Close : Erection of rear outbuilding. No objection

**SE/18/00246/WTPO: Brands Hatch Circuit, Scratchers lane:** Various tree works. Received

**GENERAL PURPOSE COMMITTEE**

Members Present Cllr Stoneham ( Chairman ), Cllr Codling, Cllr Land, Cllr Mrs Richards,

**Apologies:** Cllr Yarnold, Cllr Watchorn, Cllr Christie Cllr Illingworth, Cllr Holdstock, Cllr I Bosley and Cllr P Bosley

**Declarations of Interest.** There were no declarations declared

**Correspondence:**

**18/01 Lord Lieutenant Of Kents Civic Service:**

An invitation has been received for the Chairman and Guest to attend the Lord Lieutenants Civic Service to be held on Tuesday 20th March 2018 at Canterbury Cathedral at 11am. The Chairman confirmed that he planned to attend.

**RECEIVED**

**18/02 World War one 100th Anniversary**

On 11 November 2018 will mark 100 years from the end of The First World War. In commemoration and remembrance of the end of the war and the many millions who were killed or came home wounded, 1,000 Beacons of Light will be lit at 7pm on 11 November 2018 throughout the UK. The Beacons will symbolise the “light of hope” that emerged from the darkness of war. To purchase a portable beacon would cost approximately £380. Members discussed the use and position of a beacon but decided to recommend to the Full Council that on this occasion Parish would not purchase a beacon. All commemorations would take place at the war memorial.

**ALL IN FAVOUR**

**Footpaths:** There were no footpath matters raised

**GDPR:** A report as follows was presented by Cllr Stoneham.

This is the first of what will probably be a series of updates on the introduction and implementation of the General Data Protection Regulation [GDPR] which will take effect from 25 May 2018. The regulation emanates originally from the EU and is being incorporated into UK legislation. The Information Commissioner’s Office [ICO] has overall responsibility for overseeing the Regulation. It replaces the Data Protection Acts.

**Personal data**

The provisions of the Regulation apply to ‘personal data’ meaning **any information** relating to an **identifiable person**.

- Starting with their name it covers that and all other information even as little as an email address and / or phone number.
- It includes all information whether it is held electronically or on paper.
- This means that it affects all of the Council’s activities including information held on the computer, in filing cabinets and elsewhere.

Personal data must be:

1. Processed lawfully, fairly and in a **transparent** manner in relation to the individual/data subject;
2. Collated for specified, **explicit** and legitimate purpose(s);
3. Adequate, relevant and limited to the purpose(s) for which they are processed;
4. Accurate and kept up to date; **inaccurate data shall be erased or rectified without delay**;
5. Kept for no longer than is necessary for the purpose(s) for which it was processed;
6. Secure, using appropriate technical or organisational measures.

For the sake of clarity the regulations do not apply to personal data held by individuals purely for personal/household activities. It is not yet clear whether that exclusion covers personal data that we might hold when conducting correspondence [email or on paper] with parishioners in our capacity as Councillors. KALC will provide advice in due course and it will also be interesting to learn what the policy of SDC is in this regard which may guide us.

**Data Controller**

The Data Controller is responsible for ensuring compliance with the six points set out above. The Parish Council is a public authority and as such it holds the personal data and is, therefore, the Data Controller. It will be represented on a day to day basis in this capacity by its chief officer, the Clerk.

**Data Processor**

A Data Processor is anyone who does anything with personal data (including simply collecting, storing or deleting those data). Our Clerk, any other person managed by the Council and ourselves are or may from time to time become Data Processors.

**Non-compliance**

Data Controllers and Data Processors are jointly and severally liable for compliance with the GDPR. Both parties can be fined and or imprisoned for non-compliance. This is, therefore, an important matter for us as individual Councillors and our Clerk.

**Data Protection Officer**

As a public authority the Council is legally obliged to appoint a Data Protection Officer.

- To inform and advise the organisation and its employees about their obligations to comply with the GDPR and other data protection laws.
- To monitor compliance with the GDPR and other data protection laws, including managing internal data protection activities, advise on data protection impact assessments; train staff and conduct internal audits.
- To be the first point of contact for supervisory authorities and for individuals whose data is processed (employees, customers etc.).

The Council cannot act as its own Data Protection Officer nor can its Clerk act in that capacity since there could be a conflict of interest. The Council will, therefore, have to appoint a suitably qualified person or organisation to be its Data Protection Officer. KALC are currently looking at this matter and the Council will undoubtedly receive offers to fulfil this service from other third parties.

The appointed Data Protection Office should have professional experience and knowledge of data protection law. This should be proportionate to the type of processing carried out by the Council, taking into consideration the level of protection the personal data requires. There will of course be a cost for this service.

**Consent**

Consent must be freely given with a positive action to opt in. There is no time limit how long it lasts which depends on the circumstances and the legal requirement to retain records. Further guidance on this will be provided in due course.

**Policies and procedures**

The Council will have to look afresh at some of its policies and procedures and where necessary produce documentation where it has not existed hitherto. An example of this is the retention and disposal of documents and records [electronic and paper]. It is recommended that, so far as is reasonably practicable, the Council adopts guidance from KALC since this will have been subject to checking and validation against Acts of Parliament, Regulations etc.

**Unanswered questions**

There will be a lot of these. One already mentioned is personal data held by individual Councillors whilst acting as Councillors. Another that springs to mind is personal data supplied to us by a third party such as planning applications. The GDPR will also impact on other organisations with whom we deal on a day to day basis and of course charities of which some Councillors are Trustees.

For those who wish to do their own personal research into this the Information Commissioner's Office should be the starting point: <https://ico.org.uk/>

Charity Trustees should also refer to Charity Commission web site and specifically this page: <http://www.charitycommission.org.uk/news/gdpr-reminder-for-charities/>

**Floodlights:**

October 2017 a request was made by Boot camp and West Kent Communities for use of the floodlights. Two quotes had been received.

1. Mr Allaway replacement of lights on the tennis courts with LED floodlights, listed are two different light fittings for consideration In the sum of **£2,743.02 inc. VAT**

**Second Quote received from Paul Lawrence**

- A. To supply and install 4 x 200 watt LED lights **£2,400 + VAT**
- B. To install and supply 8 x 150 LED lights **£3,300 + VAT** Additional cost **£50** each to supply and install wire guards

Members discussed and reviewed the current use of the tennis courts. It was proposed through the Chair that as use was so low at present that there would be a recommendation to the Full Council not to proceed with these works and asked the Clerk to contact the contractors and thank them for their quotes but on this occasion no further action would be taken. It was noted that the winch for the lighting towers had yet to be found.

**Holiday Scheme:**

- A. The half term holiday club run and organise the Parish Council was taking place over the half term with 35 children attending on both days to do Craft and sports day for local children.
- B. SDC are running their programme of free sessions during Easter and the Summer Holidays. West Kingsdown has been allocated Friday 6th April. But no summer programmes The Village Hall will have to be hired due to the weather

**Skatepark:**

A quote had been received from Fearless Ramps for wood preserve for the skatepark. It will require David Diboll to paint the preserve on the skatepark. Quote for preserve only in the sum of £142.00 plus VAT. The Clerk was asked to contact Brewers and ask them to quote as it appeared this was only a general wood preserves and report back to Parish Council.

**Parking Hever Road****Response from SDC regarding parking enforcement Officers was received below**

*The block-paved road immediately outside the shops in Hever Road is a private road, and is not part of the public highway, and is therefore outside of our jurisdiction.*

*There is concern that more regular parking enforcement in the sections that are public highway could increase the risk of antisocial behaviour towards our civil enforcement officers, and hence if additional visits are required, it would be helpful if joint visits with the Police could be arranged.*

*Requests for new yellow line parking restrictions usually fall within KCC's remit, as highway authority, and details of how to make such a request and the criteria KCC uses to evaluate them can be found on their website using the link below:*

[www.kent.gov.uk/roads-and-travel/what-we-look-after/roads/changing-roads-in-your-area](http://www.kent.gov.uk/roads-and-travel/what-we-look-after/roads/changing-roads-in-your-area)

**ACTION:** to ask District Councillors to clarify how much anti-social behaviour had previously been reported to warrant the above comment.

**Response from the transport team at KCC regarding bus stop box.**

*We do install clearways within the Public Transport department.*

*We have looked at this site and would question the merit of a clearway installation here. This is based on the fact that drivers of other vehicles are already ignoring parking restrictions. The enforcement of a bus stop clearway would be carried out by the same authority who carry out the enforcement of the parking restrictions and as such there is likely to be no improvement to the situation following the change. In our experience, drivers pay no more attention to clearways than parking restrictions in this situation and it is unlikely that changing it to a bus stop clearway would stop drivers from parking here.*

*We also tailor restrictions on clearways to coincide with bus service times, therefore a change to a clearway would allow parking at certain times but not at others which may confuse the situation for other drivers.*

*We would suggest that a request be made by the Parish Council for some targeted enforcement by the District at particularly problematic times.”*

Members commented although this was disappointing there was no further action that could be taken.

**Comments received from Cllr Brazier regarding wording of a sign:**

*I've been checking the highways definition maps to see if the delineated margin of land between the public footway and the service road is Kent Highways' or private land. I'm afraid the maps do not show the margin so that it is either a separate part of the public footway (which would make little sense), or the edge of the private roadway. I think it is the latter. If that is your understanding, then according to Geoff Bineham there would be no objection to the PC installing signs facing the road to warn off people considering parking on the yellow lines. I told your member colleagues that I would apply myself to the matter of a suitable form of words. Perhaps:*

*WKPC  
Warning  
If you park on these yellow lines you may receive a fine of  
£60*

*Or something like that.*

*At the site meeting it was apparent to me as a 'foreigner' that the "No Entry" signs at the south end of the service road could be construed to mean that there was no access to the rear car park. Perhaps a standard red and white no entry sign would be better*

**The Clerk was asked to look for clearer no entry signage and signs indicating to the car park at the rear. The proposed signage on the pavement by the yellow lines would need to be simple and short in words.**

**Affordable Housing:**

Paperwork from Hastoe was distributed and a report would be tabled to Members at the Parish Council meeting.

**Defibrillator**

KALC have confirmed they are not running a bulk order scheme as they have in the past. They may do in the future.

The Clerk has contacted primary care and have received a quote for

**Rescue SAM Semi-Auto AED - Outdoor (Package 3)**

Package Includes:

1 XRescue Sam Semi-Automatic Defibrillator with Adult Pads

1 XCarrying case for Rescue Sam Defibrillator

1 XPaediatric Disposable Pads for Rescue Sam Defibrillator

1 XHeated Outdoor Metal AED Wall Cabinet

1 XAED Prep Kit

1 XReliance AED wall sign 150 x 200mm

quote total = £1,498.80 including VAT

The dimensions and power supply had been passed to the electrician and a quote to install was awaited.

**Parish Council Meeting Agenda Items:**

**Bench Knatts Valley.**

To repair damage following a car running into it. Cllr Land estimated that it would cost £100 and asked for the matter to be placed on the PC Agenda at the end of the month.

The Clerk reported there had been more fly tipping to the rear car park at the Co Op site. The Clerk was authorised to contact SDC and request they remove it as it was generating more fly tipping in the car park

**Closed meeting item**

**Dates of Meetings:**

**Wednesday 28th February 2018: Planning and Parish Council Committee.** Meeting at 7.45 at Old School, School Lane.

**Monday 12th March 2018: Planning and General Purpose Council Committee.** Meeting at 7.45 at Old School, School Lane.

**Wednesday 28th March 2018: Planning and Parish Council Committee.** Meeting at 7.45 at Old School, School Lane.

Meeting close at 20.45