

Harden Parish Council



Clerk: Ken Eastwood, Harden Parish Council, c/o 8 West Drive, Oxenhope. BD22 9LJ
clerk@hardenparishcouncil.gov.uk 07850 049 487

Dear Councillor,

You are summoned to attend the next meeting of Harden Parish Council, to be held on **Thursday 15th February, 2018** at 7.15pm in Harden Memorial Hall.

A handwritten signature in blue ink that reads "Ken Eastwood". The signature is fluid and cursive.

Clerk to the Parish Council

10th February, 2018

AGENDA

1. Apologies for Absence

To note any apologies offered.

2. Disclosure of Interest

To receive disclosure of personal and prejudicial interest from members on matters to be considered at the meeting.

- a) To receive declarations of interest from councillors on items on the agenda;
- b) To receive written requests for dispensations for disclosable pecuniary interest;
- c) To grant any requests for dispensation as appropriate.

3. Minutes of Meetings (previously circulated to Members)

- a) To agree and sign the minutes of the Parish Council monthly meeting held on 11th January, 2018.
- b) To note the Outstanding Issues Report (information only, see Appendix 1).

4. Planning Matters

17/06995/HOU - Single storey, side extension at 17 Effingham Road, Harden, BD16 1LQ

18/00094/HOU - Raise roof and construct extensions to front, side and rear at 11 Ferrands Park Way, Harden, BD16 1HZ

18/00158/MAR - Reserved matters application for 28 dwellings approved by outline permission 15/01039/MAO, requesting consideration of the layout, scale, appearance and landscaping. Land at Harden Road and Keighley Road, Harden.

18/00402/HOU - Two storey, side and rear extension with garage conversion at 16 Glen View Harden Bingley West Yorkshire BD16 1JE

(Planning applications can be viewed via Bradford Council's online system

<http://www.planning4bradford.com/online-applications>).

5. Public Representation

Members of the public are invited to raise any matters of concern for a maximum of 15 minutes.

6. Exchange of Information

To consider any concerns which may have been passed to the Parish Council by residents.

7. Memorial Hall

To receive an update on the Memorial Hall and to consider future actions.

8. Neighbourhood Planning

To receive an update on the selection of consultants to support the development of a Neighbourhood Plan and on the grant application process.

9. General Data Protection Regulation (see Appendix 2)

To receive a report from the Clerk on the General Data Protection Regulation (GDPR) which will take effect from 25th May, 2018.

10. Telephone Kiosk

To consider maintenance and use of the adopted telephone kiosk.

11. Highway Gritting

To consider concerns raised about gritting in Harden on 16th January.

12. Allotments (see Appendix 3)

To review an outline project plan and agree indicative target completion dates for key stages of the project.

13. Correspondence (see Appendix 4)

To receive the following correspondence and to formulate a response, if appropriate: -

- a) E-mail trail involving Highways, Environmental Health and a Long Lane resident re. noise from speed humps.
- b) E-mail from Simon D'Vali re. Long Lane.
- c) E-mail from Information Commissioner's Office re. Data Protection registration.
- d) E-mail from a resident re. The Golden Fleece.

14. Financial Matters

- a) To authorise, or otherwise, expenditure of £195 + VAT for the Clerk's attendance at a GDPR training workshop, organised by Airedale Enterprise Services (see Appendix 5).
- b) To authorise the following payments: -

Payee	Cheque No.	Amount	Description
Ken Eastwood	100542	£22.46	Polldaddy subscription
		£4.50	Mileage
		£26.96	
Bradford MDC	100543	£456.55	Salary payment
Matthew Maddison	100544	£15	Telephone kiosk maintenance
ICO	100545	£35	Data Protection registration
Digital Nomads Limited	100546	£234	GDPR Training workshop

c) To note the following trial balances: -

HARDEN PARISH COUNCIL					
January 2018					
Item	Budget 2017/18	Expenditure to date	Budget Remaining	Forecast Shortfall (-) / Surplus (+)	Notes
Staff Costs	4,900	4,745	155	-832	1
Travel	100	124	-24	-64	
Subscriptions	750	859	-109	-109	
Insurance	500	478	22	22	
Audits	200	197	3	3	
Newsletter	600	438	162	0	
Website	1,200	1,330	-130	-130	
Parish Plan	1,000	230	770	0	
Neighbourhood Planning	2,500	0	2,500	2,500	
Training	100	45	55	-140	
Repairs	100	5	95	95	
Stationery/telephone	300	71	229	0	
PC equipment	0	13	-13	-13	
Small grants	500	500	0	0	
Horticulture	3,000	6,057	-3,057	-3,107	2
Christmas event	200	92	108	108	
Playground cleaning	200	0	200	100	
Room hire	250	0	250	125	
Projects & Assets	1,775	4,668	-2,893	-2,892	3
S137	100	39	61	61	
Other	250	88	162	0	
	18,525	19,979	-1,454	-4,273	

Notes to Budget

1. Includes national pay award and salary increase
2. Forecast includes full planting costs, maintenance and water charges.
3. War Memorial project slipped across financial years.

d) To note the following bank reconciliation: -

Cashbook Balances

Balance 1 April 2017	14,154.06	
Add: income to date	23,008.85	
Less: expenditure to date	(21,333.96) (incl. VAT)	
Total:		15,828.95

Bank account balances 1 February 2018

Community Account	5,910.74	
Business Account	10,168.21	
Less: unpresented cheques	250	
Add: unbanked cash	0	
Total:		15,828.95

15. Feedback from meeting(s)

To receive a report from Cllr Taylor following the meeting of the Bingley Rural Neighbourhood Services, Police & Parish Councils Meeting held on 12th February.

16. 2018 Meeting Dates (see Appendix 6)

To review the previously agreed dates for meetings in 2018 and amend if required.

17. Minor items and items for next agenda

To note minor items and items for the next agenda.

18. Next Meeting

To confirm the date of the next meeting.

THIS IS A MEETING HELD IN PUBLIC - ALL WELCOME

Appendix 1: Outstanding Issues

Subject	Issues	Responsibility	Date of last action	Notes
Highways	Unofficial layby & damaged sign	Clerk	April 2017	Awaiting email updates.
	Long Lane Speed Bumps	Clerk	December 2017	Highways representatives invited to future meeting. Quarry vehicle issues referred to Planning Enforcement.
Procurement	Monkey bars in play area	Cllr Gregson & Clerk	June 2017	Meeting postponed. To roll forward.
Allotments	Written representations received on the need for allotments.	Clerk & Members	December 2017	Main agenda item.
Neighbourhood Planning	Seek quotations & appoint consultants.	Council & Clerk	February 2018	Main agenda item.
Telephone Kiosk	Adoption from BT, renovation and usage.	Clerk	January 2018	Main agenda item.

Appendix 2: General Data Protection Regulation (GDPR)

What is the General Data Protection Regulation?

New data protection regulations come into force on 25 May 2018. Many of the GDPR's main concepts and principles are much the same as those in the current Data Protection Act (DPA). However, although in general the principles of data protection remain similar, there is a much greater focus on evidence-based compliance with specified requirements for transparency, more extensive rights for data subjects and harsher penalties for non-compliance.

The GDPR introduces a principle of 'accountability'. This requires organisations such as ours to be able to demonstrate compliance. The key obligations to support this include:-

- The recording of all data processing activities with their lawful justification and data retention periods.
- Routinely conducting and reviewing data protection impact assessments where processing is likely to pose a high risk to individuals' rights and freedoms.
- Ensuring demonstrable compliance with enhanced requirements for transparency and fair processing, including notification of rights.
- Ensuring that data subjects' rights are respected (the provision of copies of records free of charge, rights to rectification, erasure, to restrict processing, data portability, to object, and to prevent automated decision making).
- Notification of personal data security breaches to the Information Commissioner.
- Appointment of a suitably qualified and experienced Data Protection Officer.

What are the key changes?

- Organisations are obliged to demonstrate that they comply with the new law.
- Appointment of a Data Protection Officer mandatory for all public authorities.
- Significantly increased penalties possible for any breach of the GDPR – not just data breaches (up to £17m).
- Data Protection Impact Assessments (PIA's) required for high risk processing.
- Legal requirement for security breach notification.
- Data protection issues must be addressed in all information processes (privacy by design).
- Removal of charges, in most cases, for providing responses to subject access requests for records to requesters.
- Specific requirements for transparency and fair processing.
- Requirement to keep records of data processing activities.
- Tighter rules where consent is the basis for processing.

What is the role of the Data Protection Officer (DPO)?

The role of the DPO is to facilitate compliance with data protection regulations. Under GDPR it is a mandatory requirement to appoint a DPO if you are a public authority.

The Parish Council is the Data Controller and has a responsibility to comply with data protection regulations, as do its staff and individual members.

DPO duties & responsibilities: -

- To inform and advise the organisation and its employees about their obligations to comply with the GDPR and other data protection laws.
- To monitor our business compliance with the GDPR. This may include managing internal processes and data protection activities and to 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.
- Managing our organisations response to subject access requests.
- Creating a data breach management policy/plan.
- Responsibility for notification and communication of data breaches.
- Staying up to date with developments on the GDPR and Codes of Practice.

What does the GDPR say about employer duties?

Employers must: -

- Ensure that the DPO reports to the highest management level of our organisation.
- Ensure that they operate independently.
- Not dismiss or penalise the DPO for performing their duties.
- Provide adequate resources and training to enable DPO's to meet their GDPR obligations.
- Register our DPO's details with the ICO.

What steps do we need to take to get ready for GDPR?

We need to put together an action plan of the key tasks that we need to undertake or consider.

Key actions will include: -

- Completion of an information audit – what do we hold, in what format, where is that held (including whether in overseas data centres), was consent given to processing of that data, is sufficient security in place, who has access to the data etc.?
- Review of recommendations made during the information audit.
- Review privacy notice requirements and draft as required.
- Designation of a DPO (NALC advise should not be the Clerk).
- Drafting of a records retention and disposal schedule.
- To draft a data protection policy.
- Establish a procedure to ensure mandatory data protection briefing is given to new members & employees.
- To consider guidance when produced by the Information Commissioner, NALC, SLCC and YLCA.

Appendix 3: Draft Allotments Project Plan

Project Outline

Stage 1 – Site Selection

Liaise with Bradford Council and establish extent of support and assistance available.

Establish an Allotments Working Party including public representation.

Identify possible sites and research ownership and acquisition options.

Options appraisal. Finalise site choice (in consultation with potential allotment holders).

Target completion date:

Stage 2 – Site Acquisition

Acquire site through lease or compulsory purchase.

Target completion date:

Stage 3 – Site Preparation

Issue tender documents for land works including paths and fencing.

Manage land preparation works in partnership with contractor.

Meet periodically with Allotments Working Party to update on developments and progress.

Site works and ground preparation completed.

Target completion date:

Stage 4 - Allocation

Develop individual allotment leases and terms and conditions.

Agree fees and charges.

Allocate plots to new holders.

Form Allotments Association.

Target completion date:

Appendix 4: Correspondence

E-mails: Long Lane Speed Bumps

Ian Farmer

Date: 7 February 2018 at 11:27

Subject: Long Lane Traffic Calming update.

Hello [REDACTED]

Please see my email response to Craig Williams.

I will let you know his response but would urge you to give him a call as he invited you to in his email,

Yours sincerely,

Ian Farmer, Environmental Health

From: Ian Farmer

Sent: 07 February 2018 11:13

To: Craig Williams

Cc: Simon D'Vali

Subject: Long Lane Traffic Calming update.

Hello Craig,

[REDACTED] forwarded to me your email to her yesterday evening. I am sure you can expect a call from her for clarification.

If removing the speed tables is not viable, why has the proposed reprofiling option also been abandoned? Is noise no longer a consideration, merely speed?

My understanding was that the reprofiling was seen as a means of mitigating the impact noise of vehicles striking the table opposite [REDACTED] House.

I realise that reprofiling was not [REDACTED] preferred option, but it would appear that she is now left with nothing in terms of a resolution.

Is the complainant's only option now to consider a private action for nuisance against the Council?

Regards,

Ian Farmer, Environmental Health.

From: Craig Williams

Sent: 07 February 2018 10:27

To: Ian Farmer

Cc: Simon D'Vali

Subject: Long Lane Traffic Calming update.

Ian,

Please see my email below to [REDACTED] I will be advising Harden Parish Council of the decision not to seek a resolution to remove the speed table or carry out the reprofiling works.

I appreciate that, in addition to [REDACTED] there are a few other local residents who expressed a wish to see the speed table removed rather than reprofiling, and I will advise these accordingly of the decision to retain the speed table as is.

Regards

Craig Williams BEng (Hons), MSc, Eng Tech FIHE, CMILT, MCIHT

Senior Engineer, Traffic and Highways (North)

From: Craig Williams

Sent: 06 February 2018 12:58

To: 'amcgrail86@gmail.com'

Cc: Cllr Simon Cooke; Cllr Michael Ellis; Cllr Naveed Riaz; Simon D'Vali

Subject: Long Lane Traffic Calming update.

Dear [REDACTED]

I can advise you that there is no proposal to seek a Shipley Area Committee resolution to authorise and fund the removal of that speed table fronting your property. Nor are the reprofiling works now considered appropriate having regard to your wish not to see the works progressed, and the concerns raised by some regarding the reduced effect that reprofiled ramps would possibly have on traffic speeds.

Should you wish to discuss any of the above, please do not hesitate to contact me on Kly (01535) 618294.

Regards

Craig Williams BEng (Hons), MSc, Eng Tech FIHE, CMILT, MCIHT

Senior Engineer, Traffic and Highways (North)

E-mail dated 7th February: Long Lane, Harden

From: Simon D'Vali

Hi Ken

In response to the residents concerns, I approached the Ward Members and discussed options. Officers felt that a re-profile of the humps was an appropriate method of dealing with this. Members agreed. On speaking to some residents, this was deemed a waste of finance and nothing but a complete removal would be acceptable. This would be much more expensive and required a decision and allocation of finance from the Area Committee. Contacting Members again, there was no appetite to remove the scheme and given the feeling regarding the re-profiling, that element was discounted also.

So we are in a position where the humps will remain in situ until such a time the Ward Members decide to take action.

Happy to field a call on the matter. We could probably do with a meeting for a complete catch up though. Let me know your availability and I will pop over.

Regards, Simon

E-mail dated 19th January: Data Protection Registration

Organisation name: Harden Parish Council
Order reference number: 000045b50452
Registration reference: ZA001115

Dear Ken Eastwood

Data protection registration - renewal due - ACTION REQUIRED

Your registration as a data controller under the Data Protection Act 1998 (DPA) will expire on 02/03/2018.

You are legally required to either:

- renew your registration every year, or
- cancel your registration if your circumstances have changed and you no longer need to be registered.

You can view your register entry at ico.org.uk/register.

Renewal costs £35 or £500 (VAT: nil) depending on the size of your organisation. For more information about registration fees and to see how much you need to pay please visit ico.org.uk/cost. If the amount you need to pay has changed from £35.00 please contact us.

You can pay the renewal fees in any of these ways:

Direct Debit - this is the best way to make sure you always renew on time. Just complete the enclosed instruction and **post** it with a copy of this email to our Registration Team. We'll do the rest. Please do not email the instruction to us. We are unable to process mandates received electronically.

Online - you can renew securely online with a debit or credit card. Just visit ico.org.uk/pay.

Cheque - make your cheque payable to the Information Commissioner. Put your registration reference on the back – it's at the top of this email and post it to our Registration Team, with a copy of this email.

Please post cheques and direct debit instructions to: Registration Team, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

If you need to contact us, please call us on 0303 123 1113, or email registration@ico.org.uk. You'll need your **registration reference** and your **security number**, which we sent you when you first registered.

Changes to the law

On 25 May 2018, the DPA will be replaced by the General Data Protection Regulation (GDPR). As part of this, the current registration fee will be replaced by a new data protection fee. (Although we previously advised that these changes would take place on 1 April 2018, the position has now changed).

The fee will still be based on the data controller's size and turnover, but will also take into account the amount of personal data it is processing.

No one will be required to pay the new fee whilst they have a current registration with us, but the new fee will be payable when that registration expires.

For the time being, you don't need to do anything, other than take the steps described earlier in this letter in respect of your current registration. The DPA will be in force until 25 May 2018 and, until that time, it will still be a criminal offence not to be registered, unless an exemption applies.

You should also visit our website to see the information we have published about the changes to the law. We will add to this over time and will write to you again with details of the new fee when you are next due to renew.

Yours sincerely

Paul Arnold

**Deputy Chief Executive Officer
Information Commissioner's Office**

E-mail dated 11th January: The Golden Fleece

Hello,

I wondered if the parish council would be able to approach the Manager or Landlord of The Golden Fleece in Harden, to ask that they take steps to tidy up the front of the pub and install bins for cigarette ends?

We are neighbours to this pub and are very fed up of the cigarette ends, litter and uncollected dirty glasses that are constantly at the front of the pub and across the pavement in front of it. On a few occasions there has even been broken glass across the pavement which has been left there for days. Currently there is a glass filled with old beer or cider, with cigarette ends floating in it, which has been there for several weeks, along with takeaway pizza boxes on the benches at the front.

There are no facilities for smokers to discard cigarettes and it does not seem to be part of the staff's daily routine to collect dirty glasses and rubbish from the front. It looks really horrible and is letting down a lovely village.

I don't know if this is something the council can assist with or not?

Best Wishes,

██████████ Long Lane, Harden

Appendix 5: GDPR Training Workshop



New Data Protection laws will be introduced from May 2018.

The EU General Data Protection Regulation (GDPR) is a wide-ranging overhaul of legal requirements which must be met by ANY business or organisation involved in handling personal data.

Small Businesses, charities, voluntary sector, schools and healthcare will not be exempt. You **MUST** comply if you regularly process certain categories of personal data; legally this includes collecting & storing as well as using personal data for any purpose.

Understanding 'General Data Protection Regulation' compliance for small/medium sized business/social enterprises and charities.

Course date & venue

Thursday 15th March - AES, Sunderland Street, Keighley BD21 5LE 10am - 4.30pm - Only 20 places

Cost £195 plus VAT - includes course hand-outs, lunch & refreshments. This course is CPD accredited and equates to 6 CPD hours.

The outcome

- Understand the purpose of the Data Protection Act (DPA) and General Data Protection Regulations (GDPR), how they apply to your business and why it is essential to comply
- Understand the eight core principles of the DPA and how to integrate these into your working practices
- Increase your awareness of how your customers' privacy can be affected by your business processes
- Appreciate the main data protection rights of the individual and how this may impact on your organisation
- Recognise how data protection and privacy legislation is applied by the Information Commissioners Office and what you need to do if you have a data breach
- Understand the common errors in most data breaches and how to avoid them.
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- Recognise how data protection and privacy legislation is applied by the Information Commissioners Office and what you need to do if you have a data breach
- Understand the common errors in most data breaches and how to avoid them.

Trainer - Gary Baker - Director of Stay Compliant & Co founder of Baker, Lomax Services Ltd.

This course will be presented by Data Protection expert Gary Baker. Gary is a retired police superintendent, an accredited Senior Information Risk Owner (SIRO) and senior decision-maker in high profile police disclosures. An experienced member of, and contributor to Multi-Agency Risk Assessment Conferences (MARAC) and Multi-Agency Public Protection Arrangements (MAPPAs). BLS Ltd provide information, governance & information management services including consultancy and CPD accredited training to the public & private sectors.

Appendix 6: Meeting Dates 2018

Date	Meeting	Start Time
11 th January 2018	Monthly meeting Harden Parish Council (HPC)	7.15 p.m.
15 th February 2018	Monthly meeting HPC	7.15 p.m.
15 th March 2018	Monthly meeting HPC	7.15 p.m.
12 th April 2018	Annual Parish Meeting	7.00 p.m.
12 th April 2018	Monthly meeting HPC	7.15 p.m.
10 th May 2018	Annual Meeting	7.15 p.m.
14 th June 2018	Monthly meeting HPC	7.15 p.m.
12 th July 2018	Monthly meeting HPC	7.15 p.m.
9 th August 2018	Monthly meeting HPC	7.15 p.m.
13 th September 2018	Monthly meeting HPC	7.15 p.m.
11 th October 2018	Monthly meeting HPC	7.15 p.m.
15 th November 2018	Monthly meeting HPC	7.15 p.m.
13 th December 2018	Monthly meeting HPC	7.15 p.m.

Notes:

1. All meetings take place at the Memorial Hall, Harden.
2. Annual Parish Meeting. Although this meeting will be chaired by the Chair of Harden Parish Council, it should be noted that this is a meeting of the electorate and not a council meeting. The Annual Parish Meeting must be held between 1st March and 1st June (Local Government Act 1972).
3. The Annual Meeting of the Council must be held in May, except in election year when it is held between the fourth and eighteenth day after the election (inclusive) (Local Government Act 1972).