

**Parish Council Meeting to be held on Tuesday 11th December 2018
at the Over Kellet Village Hall, commencing at 7.15pm**

A G E N D A

1. To receive **apologies**
2. To consider and approve **minutes of the meeting held on Tuesday 13th November 2018** (attached to the agenda)
3. To receive **declarations of interest.**
4. To adjourn the meeting for a period of **public discussion** and to provide 'information only' updates on activities in recent weeks. (Note: Any matters needing a 'decision' will be considered as an agenda item at a future meeting).

- a. Public discussion
- b. Clerk's report on activities and correspondence since the last meeting
- c. Members updates and reports since the last meeting, including:

1) LALC	2) Quarries	3) Village Hall
4) B4RN	5) Lengthsman	6) Other matters

- d. Report of District and County Councillors

5. **Budget and precept 2019/20.** To consider and approve budget proposals for 2019/20 and set the Precept (Clerk's report attached).
6. **Parish Plan.** To consider next steps in implementing the Parish Plan.
7. **Information management policies.** To consider and approve policies and statements covering data protection, information management and publication and handling of complaints (Clerk's report and draft documents attached).
8. To consider and comment on new **planning applications** received since the last meeting, as set out below (details previously circulated):

Application No:	Description
18/0195/TPO	Crownlift and pruning along fenceline. McCarthy Caravan Parks, Castle View Park, Borwick Road, Capernwray. Consultation deadline 15th December 2018.
18/01355/FUL	Change of use of holiday cottage to site managers accommodation, erection of a two-storey side extension and erection of single storey extensions to the front and rear of the café. Clear Water Bistro and Bar and Holiday Cottage, Clear Water Fisheries, Kellet Lane Consultation deadline 19th December 2018.

9. **Freedom of Information requests** to City Council for pre-application advice relating to proposed chicken farms around Over Kellet and Swarthdale.

10. To receive an update on **planning authority decisions** on previously considered applications (report attached).
11. To authorise payment of the following **accounts**:

Payee & Detail	£
Mr Derek Whiteway – Parish Clerk salary and expenses, Nov 2018	186.62
HMRC – PAYE deductions for Nov 2018	42.60
Village Hall Committee – hire of hall, 13/11/18	14.00

12. To consider **date and time of next meeting**.

Following tradition, seasonal refreshments will be served after the meeting.



Derek Whiteway
Parish Clerk
3rd December 2018

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PARISH OF OVER KELLET

Draft Minutes of the Meeting of the Parish Council held at the Over Kellet Village Hall on Tuesday 13th November 2018 at 7.15pm.

Present: Councillor Mr N Ward - Chair
Councillor Mr S Atkins
Councillor Mr M May
City Councillor Mr R Mace
Mr D Whiteway (Parish Clerk)

In attendance: Eight members of the public

1 APOLOGIES FOR ABSENCE:

Apologies were received from Councillors Mrs R Lauder and Mr G Agnew and County Councillor Mrs P Williamson

2 MINUTES:

It was **RESOLVED** that the Minutes of the meeting held on **Tuesday 9th October 2018** be approved and signed.

Matters Arising:

Min 2 (2(4(1))) Painting of kissing gates. The Clerk has made contact with the relevant officer at Sodexo, who has requested a site visit to scope and timetable the work. **ACTION:** The Clerk to make suitable arrangements.

Min 2 (2(2 (12))) Parish Plan. The Chair reported that a draft Parish Plan had been agreed at a meeting of the Working Group on 15th October 2018. Following a period of consultation with residents, which had produced favourable feedback on the draft document, the Parish Plan had been submitted for printing, ready for delivery with the December issue of OK View.

Min 2 (2(4(8))) Panorama Sign for Bay Croft. No further update.

Min 2 (8) Remembrance Sunday. The Chair reported that the Remembrance Service had been very successfully held on the Village Green, despite damp weather conditions. Over 200 people had attended and a total of £284 had been raised for Help For Heroes and the Royal British Legion Poppy Appeal.

Min 4 (11) Daffodil bulbs for the Village Green. The Chair reported that the anonymously donated daffodil bulbs had now been planted and thanked Councillor May and his family for carrying out the planting.

3 DECLARATIONS OF INTEREST:

No declarations were made.

4 ADJOURNMENT FOR PUBLIC DISCUSSION & INFORMATION ONLY UPDATES: REPORTS FROM MEMBERS OF THE PUBLIC:

No matters were raised.

CLERK'S REPORT:

- (1) **Bulging roadside wall, Nether Kellet Road.** County Highways had inspected the wall, adjacent to the Eagle's Head public house and reported that intervention was not required at this time, but they would continue to monitor the condition of the wall.
- (2) **Bulging roadside wall, Kirkby Lonsdale Road.** County Highways had reported that they had sent letters to the owner of the retaining wall adjacent to 1 Longton Cottages on Kirkby Lonsdale Road. The Highways Inspection team will continue to monitor the wall's condition. Additionally, this is part of the new development and Developer Support have refused the crossing to the new drive.
- (3) **Kellet Road Hedgerow.** A request had been lodged for County Highways to address the overgrown hedges and verges along the footpath to Carnforth. The County's online records were showing that the work had been completed, although there had been no discernible work on the hedgerow. **ACTION:** The Clerk to pursue this with Highways and clarify the situation.
- (4) **Road Watch.** A further resident had put her name forward as a potential volunteer, making three in total. The Community PCSO was planning to meet soon with potential volunteers from Over Kellet and Warton to explain and demonstrate the role.
- (5) **Lune Valley Rural Housing Association.** In response to a request from Lune Valley Rural Housing Association for parish councillors to put themselves forward as potential members of the Association's Board, and in the absence of any volunteers to do this, Councillor Ward agreed to have his name submitted.
- (6) **Fly-tipping.** A complaint had been received from a resident about spoil from roadworks on Kellet Road on Saturday 10th November having been dumped on the pavement adjacent to their property. The Clerk had reported this as a fly-tipping incident to the City Council.
- (7) **Lune Valley Flood Forum.** An email had been received from the Flood Forum asking for support in their application to the Aviva Community Fund, by an online ballot open to individuals. The deadline for casting votes in favour of this, or other schemes was 20th November.
- (8) **Village Christmas Tree.** A formal request had been sent to Aggregate Industries for the provision of a tree for the village. Arrangements are under way for delivery of the tree by Saturday morning, 8th December, and volunteers are requested to assist with erecting the tree at 10.00am. All residents are invited to the switch-on, followed by carol singing, scheduled for 4.00pm that day.
- (9) **St Cuthbert's Church Grounds Maintenance.** The Clerk advised that a regular annual contribution to the Parochial Church Council had not yet been made. A proposed payment of £540, the same as in recent years was proposed and included in the list of payments at agenda item 8. **AGREED:** That the payment to the PCC should be made as in previous years.

MEMBERS' REPORTS:

- (10) **LALC.** Nothing to report
- (11) **Quarries:** The Chair introduced his report on the two recent bi-annual meetings with Leaper's Wood/Dunald Mill (Tarmac) and Back Lane (Aggregate Industries) quarries. Tarmac had advised that new working practices and monitoring arrangements were being introduced to reduce the effects of blasting being experienced by residents. Also, the office

buildings were to be moved before Christmas which meant that the existing lighting towers could be dismantled. Three complaints had been lodged since March 2018, two of these being about dust during the summer heatwave. Two similar complaints had been received by the Back Lane quarry.

It was noted that, within the next twenty years the two quarries will be the only source of limestone in the North West as the planning consent for existing quarries within the national park or AONBs will not be renewed. The next bi-annual liaison meetings are scheduled for 12th March 2019. **ACTION:** The Chair to provide a brief report for inclusion in the December issue of OK View.

- (12) **Village Hall.** Councillor May reported that the Village Hall Committee had considered the Touring Cinema service being promoted by Carnforth Town Council and was not proposing to pursue the scheme. **ACTION:** The Clerk to consult Carnforth's Town Clerk to ask whether OK residents would be welcome at future showings in Carnforth and whether he might wish to advertise the service in OK View.
- (13) **B4RN:** The Chair reported that some delay had occurred due to two landowners having refused permission to install cabling on their land. It was hoped that installation to the lower end of the village, east of the Village Green could be completed by Christmas. Coverage was now in the region of 70% of the village and feedback from users was positive.
- (14) **Lengthsman:** The Clerk advised that queries regarding the recently drafted contract with the Lengthsman had been resolved and, pending signing by the Lengthsman, the contract was now in place.

CITY AND COUNTY COUNCILLORS' REPORTS:

- (15) **Canal Corridor North, Lancaster.** Councillor Mace advised that the City Council's former 'Canal Corridor North' development in Lancaster had now been abandoned, British Land having disposed of their property holdings in the area to an unknown third party. A new scheme, known as the 'Canal Quarter', was being considered, for which the City Council would need co-operation from the new third party. A public consultation on the new proposition was being planned.

5 A PLAQUE FOR GOOSEGATE?

Councillor May introduced a report submitted to the Council by parishioner Mr Bob Escolme. Mr Escolme was invited to present his report and proposals to the meeting. These set out the historic establishment, in the 14th century of village defences against attack by Scottish 'Border Rievers', among others. The proposal was to commission and install a plaque on a wall at Goosegate (Well House) to commemorate the village's success in defending its inhabitants and property against these threats.

The Parish Council thanked Mr Escolme for his very interesting and informative report and proposal.

Practicalities regarding the proposal were discussed, including issues of property ownership and conditions relating to the location being within a conservation area.

RESOLVED: That the proposal be accepted in principle, subject to successful resolution of ownership and conservation area considerations.

ACTION: Councillor May to draft a letter on the proposal to the City Council Conservation Team. Councillor Atkins to investigate ownership of the wall adjacent to the well where the plaque might be installed.

6 NEW PLANNING CONSULTATIONS:

The following planning applications were considered. It was resolved to comment only on those cases where indicated:

Application No:	Description
18/01342/CU	<p>Change of use of agricultural land into caravan sales area, including laying of hardstanding, alterations to land levels and erection of retaining walls. McCarthy Caravan Parks, Castle View Park, Borwick Road, Capernwray.</p> <p>Consultation deadline 16th November 2018.</p> <p>RESOLVED: That a response be submitted expressing opposition to the application on the grounds that it represents an expansion into a new area of currently agricultural land. The council's view is that the limit has been reached on the number of temporary accommodation spaces sustainable in the Parish. Furthermore, the proposed site is in full view from public roads, thereby presenting a detriment to the visual amenity of the area.</p>
18/01429/FUL	<p>Erection of a two storey side extension to form a store at lower ground level, with garage at ground floor level, erection of a single storey front extension, installation of external staircase and decking to the rear, construction of a first floor balcony to the rear. Westerdale, Moor Close Lane, Over Kellet</p> <p>Consultation letter received 8th November 2018. Consultation deadline 30th November 2018.</p>
18/00954/EIR	<p>Screening opinion for the creation of a free-range poultry farm. Addington Lodge, Addington Road, Nether Kellet.</p> <p>This application was referred to the meeting by Councillor May.</p> <p>The screening opinion requested (dated 19th July 2018) was for confirmation that an Environmental Impact Assessment (EIA) would not be necessary in relation to a planning application being prepared for a Free Range Poultry Farm housing 27,800 birds.</p> <p>The Parish Council's view is that, whilst the proposed development lies within the Nether Kellet Parish boundary, it is sufficiently close to have an impact on residents in the hamlet of Swarthdale within the Over Kellet Parish and on watercourses that ultimately discharge into the river Keer. The Parish Council is concerned about potential odour, noise and drainage impacts from the proposed development.</p> <p>RESOLVED: That a letter be submitted to the City Council expressing an opinion that this should be regarded as an EIA development and an ES should be required prior to any planning application being considered. Also that the Council be requested to inform the Parish Council of all developments on the site.</p>

7 PLANNING APPLICATION DECISIONS UPDATE:

The Clerk presented an update on planning decisions, which was noted.

8 PAYMENT OF ACCOUNTS:

Payee & Detail	£
Mr Derek Whiteway – Parish Clerk salary and expenses, Oct 2018	228.53
HMRC – PAYE deductions for Oct 2018	48.60
St Cuthbert's Church – Grounds Maintenance Contribution 2018/19	540.00
Royal British Legion Poppy Appeal - wreath and additional poppy Decorations	45.00
Village Hall Committee – hire of hall, 09/10/18	14.00

It was **RESOLVED** that the above accounts be paid.

9 DATE & TIME OF NEXT MEETING:

The next meeting of the Parish Council will be held on Tuesday, 11th December 2018 commencing at 7.15pm at the Over Kellet Village Hall. Following tradition, seasonal refreshments will be served after the meeting.

The meeting closed at 8:25pm

..... Clerk of the Council

..... Chair Date:

Agenda Item: 5

Budget and Precept 2019/20

Report of The Parish Clerk

1. Background

The Parish Council is required to undertake a robust annual budget process to:

- establish the level of funds required to deliver plans for the coming year;
- determine the level of reserves that should be maintained; and
- set the Parish Council's precept for the coming year.

The City Council has recently notified that the Parish Council's Tax Base for 2019/20 (the figure which determines how much of the precept each Council Tax payer is charged) is 353.20, a slight increase on the 2018/19 level of 342.71. The Parish Council is required to notify the City Council of its precept by 2nd February 2019.

2. Budget Review

The appended budget projection sets out the results of a budget review, taking account of activity in 2017/18 and 2018/19 to date, and setting out expected final figures for the current year and estimates for 2019/20.

As well as the Parish Council's normal activities and transactions, the statement also sets out anticipated transactions and balances for the following additional earmarked reserves:

- Allotments – created by the receipt of annual allotment rents from plot holders;
- Emergency Planning – created from external funding received in 2016/17;
- Transparency – created from external funding received in 2017/18;
- Gala – created from funds generated by previous parish galas; and
- Wind Turbine – created by the receipt of an annual grant from Aggregate Industries.

3. Conclusions

- a) Precept:** As set out in the appended statement, recurring expenses are estimated at £8,173 for 2019/20, with receipts of £250. It is therefore concluded that a precept of £8,100 (the same as in 2018/19) should be set. At the notified Tax Base, this would result in an annual charge of £22.93 for a Band D property.
- b) Reserves:** Following a review of significant financial risks facing the Parish Council, it is concluded that a target general reserve of £8,000 would be appropriate to cover potential liabilities.
- c) Non-recurring expenses:** If the above are accepted, around £4,500 of existing reserves become available for either reducing the precept or applying to new initiatives. If combined with funds available in the Wind Turbine Reserve, this would provide a total (at 1st April 2019) in the region of £9,700 to support new projects. With the adoption of a new Parish Plan, these funds provide the Council with the opportunity to consider and address the priorities and actions identified in the Plan.

4. Recommendations

- a)** That the draft budget is approved.
- b)** That a precept of £8,100 is approved and notified to Lancaster City Council.
- c)** That a target level of general reserve of £8,000 is endorsed and the balance of existing reserves is earmarked to support initiatives associated with the newly adopted Parish Plan.
- d)** That funds held within the Wind Turbine reserve are earmarked to support initiatives associated with the newly adopted Parish Plan.
- e)** That, taking account of c) and d) above, the Parish Council develops proposals to promote and implement priorities in the Parish Plan.

OVER KELLET PARISH COUNCIL
BUDGET REQUIREMENT - 2019/20

Draft v 0.07 02-Dec-2018

A. Budget Calculations	2017/18 Actual	2018/19			2019/20 Estimate
		To Date	Nov-Mar	Forecast	
Opening Bank Balance	12,783	16,973		16,973	19,500
Receipts					
Allotment Annual Rent	40	-	40	40	40
Wind Turbine Grant	1,062	1,097	-	1,097	1,100
Transparency Fund Grant	695	-	-	-	-
PRoW Local Delivery Grant	250	250	-	250	250
Miscellaneous Receipts	30	-	-	-	-
Neighbourhood Watch Donation	-	113	-	113	-
VAT Reclaim - Emergency Plan Payments	-	143	-	143	-
VAT Reclaim - General	-	67	-	67	-
Total Receipts	2,077	1,670	40	1,710	1,390
Payments					
Recurring Expenses					
Clerk's Salary (incl PAYE)	2,170	1,619	1,068	2,687	2,626
Clerk's Expenses	691	172	131	303	355
Lengthsman Scheme	2,468	1,494	-	1,494	2,912
Insurance	546	485	-	485	500
Grounds Maintenance - St Cuthberts	540	-	540	540	540
OK View - Annual Contribution	500	-	500	500	500
Twinning Association - Annual Contribution	50	-	50	50	50
Audit Fees - External Audit	120	-	-	-	-
Audit Fees - Internal Audit	-	60	-	60	65
IT Expenses (Transparency Fund)	-	91	160	251	150
Emergency Plan Expenses	1,092	19	-	19	-
Councillors' Expenses	30	-	30	30	50
Hire of Venue	285	35	135	170	200
Rent of Bus Shelter	10	-	10	10	10
Xmas Tree Electricity	6	-	10	10	10
Repairs & Maintenance	52	-	100	100	50
Subscriptions	60	-	60	60	60
Remembrance Wreath	20	-	45	45	45
Miscellaneous Expenses	31	22	28	50	50
Sub-Total	8,671	3,997	2,867	6,864	8,173
Non-Recurring Expenses					
Asset - New Shelter	533	-	-	-	-
Parish Plan - Printing and Survey Hosting	-	165	120	285	-
Asset - Printer	-	134	-	134	-
Election costs	-	-	-	-	120
?? 2018/19 Projects			-	-	-
?? 2019/20 Projects			-	-	-
Sub-Total	533	299	120	419	120
Total Payments	9,204	4,296	2,987	7,283	8,293
Net Receipts/Payments	- 7,127			- 5,573	- 6,903
Precept	8,100	8,100	-	8,100	8,100
Annual Surplus/Deficit	973			2,527	1,197
Closing Bank Balance	16,973			19,500	20,697

B. Parish Council Tax Calculation	2018/19 Actual	2019/20 Proposed
Precept	8,100	8,100
Parish Tax Base	342.71	353.20
Parish Tax Rate per Band D Property (Annual)	23.64	22.93
Parish Tax per £1,000 Precept (Annual)	2.92	2.83

C. Reserve Balances	31/03/2018 Actual			31/03/2019 Forecast	31/03/2020 Estimate
General Reserve	11,025			12,563	12,770
Allotments Reserve	120			160	200
Emergency Plan Reserve	616			853	853
Transparency Reserve	695			310	160
Gala Reserve	420			420	420
Wind Turbine Reserve	4,097			5,194	6,294
Total	16,973			19,500	20,697

Agenda Item: 7

Information Management Policies

Report of The Parish Clerk

1. Background

As a public authority, the Parish Council is required to comply with a variety of legislative requirements (including Data Protection and Freedom of Information) governing the way in which it obtains and handles information. In addition, a range of public reporting requirements are set out in the Government's Transparency Code.

To enable the Parish Council to meet these requirements, it is currently developing a new Parish Council website, www.overkelletpc.org which should become available within the next month. This website will deal solely with Parish Council matters and information and is not intended to replicate other areas of community interest already covered by the Parish website www.overkellet.org

2. Draft Policies

It is intended that the new website will help improve communication between the Parish Council and parishioners. It becomes increasingly important, therefore, that the Council has appropriate policies in place to guide the way in which it communicates and handles information, most importantly individuals' personal information.

The following draft documents have been produced, drawing on templates and tools supplied by the National Association of Local Councils (NALC) and are appended to this report:

- Information Management and Data Protection Policy
- Privacy Notice
- Publication Scheme
- Complaints Policy and associated Complaints Form.

3. Recommendations

It is recommended that the draft policies and statements are approved and adopted by the Parish Council.

Over Kellet Parish Council

Information Management and Data Protection Policy (Draft)

1. Introduction

To conduct its business, services and duties, Over Kellet Parish Council (the Council) processes a wide range of data, relating to its own operations and some which it handles on behalf of partners. In broad terms, this data can be classified as:

- Data shared in the public arena about the services it offers, its mode of operations and other information it is required to make available to the public;
- Confidential information and data not yet in the public arena such as ideas or policies that are being worked up;
- Confidential information about other organisations because of commercial sensitivity;
- Personal data concerning its current, past and potential employees, Councillors, and volunteers;
- Personal data concerning individuals who contact it for information, to access its services or facilities or to make a complaint.

The Council will adopt procedures and manage responsibly all data which it handles and will respect the confidentiality of its own data; data belonging to partner organisations it works with and data belonging to members of the public. In some cases, we will have contractual obligations governing confidential data, but in addition we will have specific legal responsibilities for personal and sensitive information under data protection legislation.

The Council will periodically review and revise this policy in the light of experience, comments from data subjects and guidance from the Information Commissioners Office.

The Council will be as transparent as possible about its operations and will work closely with public, community and voluntary organisations. In being transparent about our activities and functions, for all information which is not personal or confidential, we will be prepared to make it available to partners and local communities. Details of information which is routinely available is contained in the Council's Publication Scheme, which is based on the statutory model publication scheme for local councils.

2. Protecting Confidential or Sensitive Information

The Council recognises it must at times, keep and process sensitive and personal information about both employees and the public. We have, therefore, adopted this policy not only to meet our legal obligations but also to ensure high standards.

The General Data Protection Regulation (GDPR), which became law on 25th May 2018, sets out the responsibilities of organisations and how they can strike a balance between the rights of individuals and the, sometimes competing, interests of those, such as the Council, with legitimate reasons for using personal information.

3. Personal Data

This policy is based on the principles that personal data must be:

- Processed fairly, lawfully and in a transparent manner in relation to the data subject;
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- Accurate and, where necessary, kept up to date;
- Kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;
- Processed in a manner that ensures appropriate security of the personal data including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

The Council processes personal data to:

- fulfil its duties as an employer by complying with the terms of contracts of employment, safeguarding the employee and maintaining information required by law;
- pursue the legitimate interests of its business and its duties as a public body, by fulfilling contractual terms with other organisations, and maintaining information required by law;
- monitor its activities including the equality and diversity of its activities;
- fulfil its duties in operating the business premises including security;
- assist regulatory and law enforcement agencies;
- process information including the recording and updating details about its Councillors, employees, partners and volunteers;
- process information including the recording and updating of details about individuals who contact it for information, or to access a service, or make a complaint;
- undertake surveys, censuses and questionnaires to fulfil the objectives and purposes of the Council;
- undertake research, audit and quality improvement work to fulfil its objects and purposes; and
- carry out Council administration.

Where appropriate, and governed by necessary safeguards, we may carry out the above processing jointly with other appropriate bodies from time to time.

Over Kellet Parish Council

Information Management and Data Protection Policy (Draft)

The Council will ensure that **at least one of the following conditions is met for personal information to be considered fairly processed:**

- The individual has consented to the processing;
- Processing is necessary for the performance of a contract or agreement with the individual;
- Processing is required under a legal obligation;
- Processing is necessary to protect the vital interests of the individual;
- Processing is necessary to carry out public functions;
- Processing is necessary to pursue the legitimate interests of the Council or third parties.

Particular attention is paid to the processing of any **sensitive personal information** and the Council will ensure that **at least one of the following conditions is met:**

- Explicit consent of the individual;
- Required by law to process the data for employment purposes;
- A requirement to protect the vital interests of the individual or another person

4. Diversity Monitoring

The Council monitors the diversity of its employees, and Councillors, in order to ensure that there is no inappropriate or unlawful discrimination in the way it conducts its activities. It undertakes similar data handling in respect of prospective employees. This data will always be treated as confidential. It will only be accessed by authorised individuals within the Council and will not be disclosed to any other bodies or individuals. Diversity information will never be used as selection criteria and will not be made available to others involved in the recruitment process. Anonymised data derived from diversity monitoring will be used for monitoring purposes and may be published and passed to other bodies.

The Council will always give guidance on personnel data to employees, Councillors, partners and volunteers through a Privacy Notice and ensure that individuals on whom personal information is kept are aware of their rights and have easy access to that information on request.

Appropriate technical and organisational measures will be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.

Personal data **shall not** be transferred to a country or territory outside the European Economic Areas unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Over Kellet Parish Council

Information Management and Data Protection Policy (Draft)

5. Information provided to us

The information provided (personal information such as name, address, email address, phone number) will be processed and stored so that it is possible for us to contact, respond to or conduct the transaction requested by the individual. By transacting with the Council, individuals are deemed to be giving consent for their personal data provided to be used and transferred in accordance with this policy, however, wherever possible specific written consent will be sought. It is the responsibility of those individuals to ensure that the Council is able to keep their personal data accurate and up-to-date. The personal information will be not shared or provided to any other third party or be used for any purpose other than that for which it was provided.

6. The Council's Right to Process Information

The Council's right to process information is set out in the General Data Protection Regulations (and Data Protection Act) Article 6 (1) (a) (b) and (e), provided that:

- Processing is with consent of the data subject; or
- Processing is necessary for compliance with a legal obligation; or
- Processing is necessary for the legitimate interests of the Council.

7. Information Security

The Council takes care to ensure the security of personal data. We make sure that your information is protected from unauthorised access, loss, manipulation, falsification, destruction or unauthorised disclosure. This is done through appropriate technical measures and appropriate policies. We will only keep your data for the purpose for which it was collected, and only for as long as is necessary, after which it will be deleted.

8. Children

We will not process any data relating to a child (under 13) without the express consent of the child's parent or guardian.

9. Rights of a Data Subject

Access to Information: An individual has the right to request access to the information we have on them. They can do this by contacting our Parish Clerk: The Council will ensure that individuals on whom personal information are kept are aware of their rights and have easy access to that information on request.

Information Correction: If an individual believes that the information we have about them is incorrect, they may contact us so that we can update it and keep their data accurate. Please contact the Parish Clerk.

Information Deletion: If the individual wishes the Council to delete the information about them, they can request this by contacting the Parish Clerk.

Over Kellet Parish Council

Information Management and Data Protection Policy (Draft)

Right to Object: If an individual believes their data is not being processed for the purpose it has been collected for, they may object by contacting the Parish Clerk.

Complaints: If an individual has a complaint regarding the way their personal data has been processed, they may make a complaint to the Parish Clerk or the Information Commissioners Office casework@ico.org.uk Tel: 0303 123 1113.

10. Making Information Available

The **Publication Scheme** is a means by which the Council can make a significant amount of information available routinely, without waiting for someone to specifically request it. The scheme is intended to encourage local people to take an interest in the work of the Council and its role within the community. In accordance with the provisions of the Freedom of Information Act 2000, this Scheme specifies the classes of information which the Council publishes or intends to publish.

All formal meetings of Council and its committees are subject to statutory notice being given on notice boards and the Website. All formal meetings are open to the public and press and reports to those meetings and relevant background papers are available for the public to see. The Council welcomes public participation and has a public participation session on each Council and committee meeting. Details can be seen in the Council's Standing Orders, which are available on **its Website** or from the Parish Clerk.

Occasionally, Council or committees may need to consider matters in private - examples of this are matters involving personal details of staff, or a member of the public, or where details of commercial/contractual sensitivity are to be discussed. This will only happen after a formal resolution has been passed to exclude the press and public and reasons for the decision are stated. Minutes from all formal meetings, including the confidential parts are public documents.

The Openness of Local Government Bodies Regulations 2014 requires written records to be made of certain decisions taken by officers under delegated powers. These are not routine operational and administrative decisions, such as giving instructions to the workforce or paying an invoice approved by Council but would include urgent action taken after consultation with the Chairman, such as responding to a planning application in advance of Council. In other words, decisions which would have been made by Council or committee had the delegation not been in place.

The 2014 Regulations also amend the Public Bodies (Admission to Meetings) Act 1960 to allow the public or press to film, photograph or make an audio recording of council and committee meetings normally open to the public. The Council will where possible facilitate such recording unless it is being disruptive. It will also take steps to ensure that children, the vulnerable and members of the public who object to being filmed are protected without undermining the broader purpose of the meeting.

The Council will be pleased to make special arrangements on request for persons who do not have English as their first language or those with hearing or sight difficulties.

Over Kellet Parish Council

Information Management and Data Protection Policy (Draft)

11. Disclosure Information

The Council will as necessary undertake checks on both staff and Members with the Disclosure and Barring Service and will comply with their Code of Conduct relating to the secure storage, handling, use, retention and disposal of Disclosures and Disclosure Information

12. Data Transparency

Government has issued a Code of Recommended Practice on Transparency, compliance with which is compulsory for Parish Councils with turnover (gross income or gross expenditure) not exceeding £25,000 per annum. Over Kellet Parish Council falls into this category and will therefore ensure the following information is published on its Website, for ease of access:

- All transactions above £100.
- End of year accounts
- Annual Governance Statements
- Internal Audit Reports
- List of Councillor or Member responsibilities
- Details of public land and building assets
- Draft minutes of Council and committees within one month
- Agendas and associated papers no later than three clear days before the meeting.

Over Kellet Parish Council

Information Management and Data Protection Policy (Draft)

Glossary of Data Protection Terminology

Data subject - means the person whose personal data is being processed. This may be an employee, prospective employee, associate or prospective associate of Over Kellet Parish Council or someone transacting with it in some way, or an employee, Member or volunteer with one of our clients.

Personal data - means any information relating to person or data subject that can be used directly or indirectly to identify the person. It can be anything from a name, a photo, and an address, date of birth, an email address, bank details, and posts on social networking sites or a computer IP address.

Sensitive personal data - includes information about racial or ethnic origin, political opinions, and religious or other beliefs, trade union membership, medical information, sexual orientation, genetic and biometric data or information related to offences or alleged offences where it is used to uniquely identify an individual.

Data controller - means a person who (either alone or jointly or in common with other persons) determines the purposes for which, and the way in which any personal data is to be processed. Parish Councils are exempt from appointing a data controller, but our data will be administered and managed by the Parish Clerk on the Council's behalf.

Data processor - in relation to personal data, means any person (other than an employee of the data controller) who processes the data on behalf of the data controller.

Processing information or data - means obtaining, recording or holding the information or data or carrying out any operation or set of operations on the information or data, including:

- organising, adapting or altering it;
- retrieving, consulting or using the information or data;
- disclosing the information or data by transmission, dissemination or otherwise making it available;
- aligning, combining, blocking, erasing or destroying the information or data. regardless of the technology used.

Who is responsible for protecting a person's personal data?

The Parish Council as a corporate body has ultimate responsibility for ensuring compliance with the Data Protection legislation. The Council has delegated this responsibility day to day to the Parish Clerk.

Email: clerk@overkelletpc.org

Phone: 07805 260976

Correspondence: Derek Whiteway
122 North Wing, The Residence
Kershaw Drive
Lancaster
LA1 3TF

Adopted by the Parish Council: (Date)

Review Date: (Date)

Over Kellet Parish Council

Privacy Notice (Draft)

When you contact us : The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored by Over Kellet Parish Council (the Council) to enable us to contact you and respond to your correspondence, provide information and/or allow you access to our facilities and services. Your personal information will be not shared or provided to any other third party.

The Council's Right to Process Information: The Council's right to process information is set out in the General Data Protection Regulations Article 6 (1) (a) (b) and (e). The Council will only process information where:

- Processing is with consent of the data subject; or
- Processing is necessary for compliance with a legal obligation; or
- Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Information Security: The Council has a duty to ensure the security of personal data. We make sure that your information is protected from unauthorised access, loss, manipulation, falsification, destruction or unauthorised disclosure. This is done through appropriate technical measures and appropriate policies. Copies of these policies can be requested.

We will only keep your data for the purpose for which it was collected, and only for as long as is necessary. Once this period elapses, the data will be deleted. You may request the deletion of your data held by the Council at any time.

Children: We will not process any data relating to a child (under 13) without the express consent of the child's parent or guardian.

Access to Information: You have the right to request access to the information the Parish Council holds on you. You can do this by contacting the Parish Clerk using the contact details provided below.

Information Correction: If you believe that the information we hold about you is incorrect, you may contact us so that we can update it and keep your data accurate. Please contact the Parish Clerk to request this.

Information Deletion: If you wish the Council to delete the information about you please contact the Parish Clerk to request this.

Right to Object: If you believe that your data is not being processed for the purpose it has been collected for, you may object: Please contact the Parish Clerk to object.

Over Kellet Parish Council

Privacy Notice (Draft)

Rights Related to Automated Decision Making and Profiling: The Council does not use any form of automated decision making or the profiling of individual personal data.

Conclusion: In accordance with the law, we only collect a limited amount of information about you that is necessary for correspondence, information and service provision. We do not use profiling, we do not sell or pass your data to third parties. We do not use your data for purposes other than those specified. We make sure your data is stored securely. We delete all information deemed to be no longer necessary. We constantly review our Privacy Policies to keep it up to date in protecting your data. You can request a copy of our policies at any time.

Complaints: If you have a complaint regarding the way your personal data has been processed you may make a complaint to the Parish Council by following our Complaints procedure, available at: [<online document reference>](#) or by contacting the Information Commissioners Office casework@ico.org.uk Tel: 0303 123 1113

Over Kellet Parish Council

Contact:

Derek Whiteway, Parish Clerk
122 North Wing, The Residence
Kershaw Drive
Lancaster
LA1 3TF

Email: clerk@overkelletpc.org

Telephone: 07805 260976

OVER KELLET PARISH COUNCIL - PUBLICATION SCHEME (Draft)

Class 1 Who we are and what we do - organisational information, locations and contacts		
Information to be published	How the information can be obtained	Cost
Who's who on the Council	<ul style="list-style-type: none"> Parish Council Website – "Councillors" Contact details are given in each issue of the parish magazine 'OK View' Hard Copy – Contact Parish Clerk 	Free Free Free
Roles and Responsibilities	<ul style="list-style-type: none"> Parish Council Website – "The Council" Hard Copy – Contact Parish Clerk 	Free Free

Class 2 What we spend and how we spend it - Financial Information relating to projected and actual income and expenditure, procurement, contracts and financial audit (Current and previous financial year as a minimum)		
Information to be published	How the information can be obtained	Cost
Annual Governance and Accountability Return and Auditor's Report (if any)	<ul style="list-style-type: none"> Parish Council Website – "Financial Information" Hard Copy – Contact Parish Clerk 	Free Free
Finalised Budget	<ul style="list-style-type: none"> Parish Council Website – "Financial Information" and minutes of Budget/Precept Setting meeting 	Free Free
Statement of Accounts	<ul style="list-style-type: none"> Parish Council Website – "Financial Information". Hard Copy of Statement of Accounts - Contact Parish Clerk 	Free Free
Precept	<ul style="list-style-type: none"> Parish Council Website – Minutes of Precept Setting meeting Reported via the parish magazine 'OK View'. Hard Copy – Contact Parish Clerk 	Free Free Free
Financial Standing Orders and Regulations	<ul style="list-style-type: none"> Parish Council Website – "Council Documents" Hard Copy – Contact Parish Clerk 	Free Free
List of current contracts awarded and value of contract	<ul style="list-style-type: none"> Parish Council Website – "Financial Information". Hard Copy – Contact Parish Clerk 	Free Free
Members allowances and expenses	<ul style="list-style-type: none"> Parish Council Website – "Financial Information". Hard Copy – Contact Parish Clerk 	Free Free

OVER KELLET PARISH COUNCIL - PUBLICATION SCHEME (Draft)

Class 3 What our priorities are and how we are doing - Strategies and plans; performance indicators and reviews		
Information to be published	How the information can be obtained	Cost
Parish Plan	<ul style="list-style-type: none"> Parish Council Website – “Parish Plan” Hard Copy – All households in the parish receive a free copy delivered to their door 	Free Free
Annual Report (current and previous year as a minimum)	<ul style="list-style-type: none"> Parish Council Website Hard Copy – All households in the Parish receive a copy of the Chair’s Annual Report via the parish magazine ‘OK View’. Additional Hard Copies – Contact Parish Clerk 	Free Free Free

Class 4 How we make decisions - Decision making processes and records of decisions (Current and previous council year as a minimum)		
Information to be published	How the information can be obtained	Cost
Procedural Standing Orders	<ul style="list-style-type: none"> Parish Council Website – “Council Documents” Hard Copy – Contact Parish Clerk 	Free Free
Timetable of Parish Council Meetings	<ul style="list-style-type: none"> Parish Council Website – “Meetings” Hard Copy – Contact Parish Clerk 	Free Free
Agendas of Parish Council Meetings	<ul style="list-style-type: none"> Parish Council Website – “Meetings” Hard Copy – posted on the Parish Council noticeboard Hard Copy – Contact Parish Clerk 	Free Free Free
Minutes of Meetings – NB this will exclude information that is properly regarded as confidential	<ul style="list-style-type: none"> Parish Council Website – “Meetings” Hard Copy – posted on the Parish Council noticeboard Additional Hard Copies – Contact Parish Clerk 	Free Free Free
Reports presented to meetings – NB this will exclude information that is properly regarded as confidential	<ul style="list-style-type: none"> Parish Council Website (as necessary) Hard Copy – Contact Parish Clerk 	Free Free
Responses to consultation papers	<ul style="list-style-type: none"> Parish Council Website Hard Copy – Contact Parish Clerk 	Free Free

OVER KELLET PARISH COUNCIL - PUBLICATION SCHEME (Draft)

Class 5 Our policies and procedures - Current written protocols, policies and procedures for delivering our services and responsibilities (Current information only)		
Information to be published	How the information can be obtained	Cost
Policies and procedures for the conduct of council business: Standing orders; Code of Conduct and Policy Statements	<ul style="list-style-type: none"> Parish Council Website – “Council Documents” Hard Copy – Contact Parish Clerk 	Free Free
Policies and procedures for the provision of services, employment of staff, management of information, etc; Complaints Procedure	<ul style="list-style-type: none"> Parish Council Website – “Council Documents” Hard Copy – Contact Parish Clerk 	Free Free

Class 6 – Lists and Registers - Currently maintained lists and registers only		
Information to be published	How the information can be obtained	Cost
Register of Electors – Copy of the principal authority’s electoral register	<ul style="list-style-type: none"> Visual Inspection – Contact Parish Clerk 	Free
Assets Register	<ul style="list-style-type: none"> Parish Council Website – “Council Documents” Hard Copy – Contact Parish Clerk 	Free Free
Register of Members’ Interests	<ul style="list-style-type: none"> Parish Council Website – “Councillors” Hard Copy – Contact Parish Clerk 	Free Free
Register of Gifts and Hospitality	<ul style="list-style-type: none"> Parish Council Website – “Councillors” Hard Copy – Contact Parish Clerk 	Free Free

OVER KELLET PARISH COUNCIL - PUBLICATION SCHEME (Draft)

Class 7 – The Services we offer – Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses (Current Information Only)		
Information to be published	How the information can be obtained	Cost
Allotments	<ul style="list-style-type: none"> Parish Council Website – “Services and Amenities” Hard Copy – Contact Parish Clerk 	Free Free
Burial Grounds and closed churchyards	<ul style="list-style-type: none"> The Parish Council is not currently responsible for any burial grounds or closed churchyards. An annual contribution is made to support grounds maintenance of St Cuthbert’s Parish Church. 	N/A
Village Halls	<ul style="list-style-type: none"> Currently no direct responsibility. The Village Hall is managed by a separate, independent, Committee. 	N/A
Village Greens and open spaces	<ul style="list-style-type: none"> Parish Council Website – “Services and Amenities” 	Free
Seating, litter bins, memorials and lighting, etc	<ul style="list-style-type: none"> Parish Council Website – “Services and Amenities” Hard Copy – Contact Parish Clerk 	Free Free
Shelters	<ul style="list-style-type: none"> Parish Council Website – “Services and Amenities” Hard Copy – Contact Parish Clerk 	Free Free
Markets	<ul style="list-style-type: none"> No direct responsibility for Markets 	N/A
Public Conveniences	<ul style="list-style-type: none"> No direct responsibility for public conveniences 	N/A
Services for which the council is entitled to recover a fee (e.g burial fees)	<ul style="list-style-type: none"> Not currently applicable 	N/A
Newsletter	<ul style="list-style-type: none"> The parish magazine ‘OK View’ is produced independently and ten issues are published each year. A hard copy is delivered to all households and it is also published on the Parish website . The Parish Council makes an annual contribution to support the production of the newsletter. 	N/A

HOW TO COMPLAIN TO OVER KELLET PARISH COUNCIL (Draft)

Objective: The object of this complaints procedure is to put things right when they go wrong and ensure that mistakes do not recur in the future.

What constitutes a complaint?

A complaint is an expression of dissatisfaction by one or more members of the public about the parish council's action or lack of action or about the standard of a service delivered by the council. The complaint may relate to an action taken or a service provided by the council itself or a person or body acting on behalf of the council.

What is not a complaint?

If a member of the public reports an issue or matter of concern within the Parish, this will not normally be regarded as a complaint, but as a '**Request for Service**'. Such matters, for example a fly-tipping incident or an obstruction of a Public Right of Way, will normally be dealt with directly by the Clerk without any need for a formal response.

What is a complaints procedure?

The way the council manages any report of a problem with the service you are getting or trying to get from the council, or a problem with things that the council does or doesn't do, is via a complaints procedure.

What can be expected?

The aims of a complaints procedure are to ensure the process is:

- well documented and publicised;
- easy to understand and use;
- helpful and receptive, not adversarial;
- objective and based on clear procedures;
- capable of putting things right where necessary;
- sensitive to the needs and circumstances of the complainant;
- adequately resourced and fully supported by parish councillors and the Clerk; and
- regularly analysed to spot patterns of complaint and lessons for service improvement.

How do I complain?

Requests for Service: These should be made to the Clerk of the council and can be made by any means; phone call, email, letter or in person. You may make a request to a Councillor, but under the legislation governing parish councils, a Councillor has no authority to act as an individual and must refer the matter to the Clerk.

Formal complaint: To register a formal complaint please obtain and complete a copy of the council's **complaint form** with any other information you wish to provide to support your complaint and then return it to the Clerk's address. If the complaint directly concerns the Clerk, it should be sent to the Chair of the Council, clearly marked "**Council Chairman -Private and Confidential**". Formal complaints are for matters of a serious nature and once resolved will be recorded in the council's minutes. However certain types of employee related, or other sensitive issues may, under certain parts of legislation, be exempt from publication. You may also send a letter or email of complaint, but the council may ask you to complete their **complaints form** as this allows the council to keep a consistent record of communications on complaints.

Nature of a complaint

Before making a complaint, it is important to contact the council to ensure it is the **Responsible Body** to handle the complaint. It is also important to clearly identify and document the details of the complaint. The way in which a complaint is handled will depend on the nature of the complaint.

The following table summarises how different types of written complaint may be handled by the council.

Nature of the complaint	How to complain	Who to complain to	Who will deal with your complaint
Parish council processes, procedures and services	<p>The Clerk will provide you with a Complaint Form</p> <p>Complete the form and add any other relevant evidence to support your complaint</p>	The Clerk	<p>You will receive a written reply from the Clerk</p> <p>The matter may have been debated by the council at a council meeting and if so the Clerk's response will be based on the decision of the council</p>
Financial irregularity	<p>The Clerk will provide you with a Complaint Form.</p> <p>Complete the form and add any other relevant evidence to support your complaint</p>	The Clerk/Responsible Financial Officer of the council.	<p>The Clerk of the council will endeavour to provide an explanation.</p> <p>If you are not satisfied you can report the matter to the External Auditor</p>

Nature of the complaint	How to complain	Who to complain to	Who will deal with your complaint
Conduct of an employee	The Clerk will provide you with a Complaint Form. Complete the form and add any other relevant evidence to support your complaint	The Clerk, unless the complaint is about the Clerk. If this is the case the complaint should be sent to the Chair of the Council and be sealed and marked "private & confidential"	<p>The complaint may be resolved or escalated and be treated as an internal disciplinary matter to be dealt with under the Parish council's employee disciplinary procedure</p> <p>In the event that the matter escalates the Parish council will provide a copy of the disciplinary procedure on request</p>
Criminal activity	In writing, including any relevant evidence to support your concern	The police	<p>The police</p> <p>Depending on severity, the matter may go to court</p>
Conduct of a Councillor	This type of complaint needs to be referred in writing to the principal authority, Lancaster City Council. The Parish council has no power to investigate the conduct of one of its own elected Members	The Monitoring Officer at the principal authority, Lancaster City Council	<p>The Monitoring Officer.</p> <p>Matters may be lengthy if an investigation is undertaken.</p> <p>The matter may be referred for consideration by the Local Standards Committee</p>

A Complaint form is available to accompany this guide.

HOW TO COMPLAIN TO OVER KELLET PARISH COUNCIL

Complaint Form

Date:	
Name:	
Address:	
Postcode	
Daytime phone number:	
Evening Phone number:	
Nature of Complaint - please give details of:	
1. What you wish to complain about to the parish council.	
2. When and where the situation took place including if possible details such as time, day, date and location.	
3. The names and, if possible, contact details of any others involved.	
4. In your opinion, what action or decision would resolve the matter?	

Please continue your comments on a separate sheet if necessary.

To register a complaint please complete and return this form with any other information you wish to provide to support your complaint to:

**Mr D Whiteway
Over Kellet Parish Clerk
122 North Wing, The Residence
Kershaw Drive
Lancaster
LA1 3TF**

If the complaint concerns the Clerk, it should be sealed and clearly marked '**Chairman, Over Kellet Parish Council – Private and Confidential**' and sent to:

**Mr N Ward
Cockle Hill Barn
Kirkby Lonsdale Road
Over Kellet
Carnforth
LA6 1DD**

Agenda Item: 10

Planning Application Comments & Decisions

Update for November/December 2018

Application Number / Description	Parish Council Comment	Planning Authority Decision / Status
18/00983/FUL - Erection of caravan reception/office building with warden accommodation with associated car parking. Old Hall Caravan Park, Capernwray Road, Capernwray.	No comments submitted	Awaiting Decision
18/01207/FUL - Full application for the erection of 2 detached dwellings with associated regrading of land, access, landscaping and construction of a new retaining wall and footpath. Development Land - Plot 1 And 2 Kirkby Lonsdale Road.	Consultation response submitted commenting on the need to protect the public right of way.	Awaiting Decision
18/01257/FUL - Retrospective application for the retention of a stable and associated riding paddock and fencing. Clear Water Bistro And Bar, Clear Water Fisheries, Kellet Lane, Over Kellet.	No comments submitted	Decided - Permitted
18/01342/FUL - Change of use of agricultural land into caravan sales area, including laying of hardstanding, alterations to land levels and erection of retaining walls. McCarthy Caravan Parks, Castle View Park, Borwick Road, Capernwray.	Comments submitted expressing opposition to the application on the grounds that it represents an expansion into a new area of currently agricultural land. The council's view is that the limit has been reached on the number of temporary accommodation spaces sustainable in the Parish. Furthermore, the proposed site is in full view from public roads, thereby presenting a detriment to the visual amenity of the area.	Awaiting Decision

Application Number / Description	Parish Council Comment	Planning Authority Decision / Status
18/01429/FUL - Erection of a two-storey side extension to form a store at lower ground level, with garage at ground floor level, erection of a single storey front extension, installation of external staircase and decking to the rear, construction of a first floor balcony to the rear. Westerdale, Moor Close Lane, Over Kellet	No comments submitted	Awaiting Decision
18/00954/EIR - Screening opinion for the creation of a free-range poultry farm. Addington Lodge, Addington Road, Nether Kellet.	Comments submitted expressing an opinion that this should be regarded as an EIA development and an ES should be required prior to any planning application being considered. Also requested that the City Council be requested to inform the Parish Council of all developments on the site.	Opinion issued 17/08/18. Not considered an EIA development.