

PADSTOW TOWN COUNCIL

Minutes of the Full Council meeting held on Tuesday 29 May 2018 at 7.30 pm in the Council Offices, Station House, Station Road, Padstow

Present: C Watson-Smyth (Vice-Chairman and Chairman for the meeting), F J Bealing, A P Flide, K Freeman, A Rickard, H M Saunders, Mrs A E Symons, D N Vivian and Mrs T Walter

In Attendance: Mrs K Pemberton (Town Clerk), Mrs S Daly (Support Officer and Minute Taker) and 1 member of the public (part)

2018/9 To receive apologies for absence and announcements: i) Apologies were received from Councillors R Buscombe, R Clark and R Higman; ii) There were no announcements.

2018/10 Declarations of Interest: Councillors A Rickard and A P Flide declared an interest in Agenda Item 20: Padstow Sealife Safaris.

2018/11 Dispensations: There were no dispensations.

2018/12 Public Participation:

i) A member of the public addressed the meeting with regard to Agenda Item 20 following which he left the meeting. Points raised included:

- Despite a professional protective treatment being applied to the building when it was first built, signs of damp and mould were now evident on the exterior;
- The original company had returned once to sand and retreat the building in order that the tenant may comply with his lease which states that the building must be "kept in a good state of repair";
- Considered the issue was caused by prevailing wind and rain and sought permission to paint or stain the building to prevent the condition worsening;
- Open to thoughts as to other ways the problem could be addressed.

ii) There was no report from Cornwall Councillor Buscombe.

ii) Police Report: The police report for the period 28/01/2018 – 26/05/2018 was noted for information. It detailed that there had been 94 reported logged incidents and 47 crimes.

2018/13 Minutes Tuesday 24 April 2018: RESOLVED that the minutes of the meeting held on Tuesday 24 April 2018, subject to amending the reference to standing order "16ai" to "16aiv" in minute number 2017/229, were a true record of the meeting and they were signed by the Chair.

2018/14 Annual Meeting Minutes Tuesday 15 May 2018: RESOLVED that the minutes of the annual meeting held on Tuesday 15 May 2018, were a true record of the meeting and they were signed by the Chair.

2018/15 Clerks Report/Work Programme: was noted for information.

2018/16 Annual Parish Meeting Minutes Tuesday 8 May 2018: Minutes of the annual parish meeting were tabled and read. It was

RESOLVED to adopt the minutes of the Annual Parish Meeting held on Tuesday 8 May 2018.

2018/17 Committees/Working Group Meetings:

- a) Minutes for the meeting of the Leisure Tourism and Open Spaces Committee were tabled and read. **RESOLVED** to adopt the minutes and approve recommendations (if any) for the meetings of the:
 - i) Staffing Committee held on 22 May 2018;
 - ii) Leisure, Tourism and Open Spaces Committee held on 22 May 2018; and
 - iii) Highways, Roads and Transport Committee held on 22 May 2018.
- b) **RESOLVED** to receive the minutes of the Planning Committee meeting held on Tuesday 22 May 2018.
- c) Finance and General Purposes Committee membership: **RESOLVED** to appoint the following members to the remaining vacancies: Councillors F J Bealing, R Buscombe, Mrs A E Symons Mrs T Walter.
- d) The Neighbourhood Development Steering Group meeting note was tabled and read. **RESOLVED** to adopt the notes and approve the recommendations (if any) of the Neighbourhood Development Steering Group meeting held on 23 May 2018.

2018/18 Finance: Monthly Accounts and Payments May 2018

- a) The monthly finance report was received and noted for information.
- b) **RESOLVED** to i) approve accounts outstanding for May 2018 (d) of £2,259.60 and direct debits/cheques paid since the last meeting of £2,593.53; ii) approve addendum to accounts for May 2018 of £1,759.47 and cheques written, online payments made and direct debits taken since last statement of £726.84 having been tabled and read; iii) ratify payment to accounts for May 2018 (a) of £3,707.21, standing orders/direct debits due the following month (regular payments of the same amount) of £10,029.69 and direct debits/cheques paid since the last meeting of £61.76; iv) ratify payment to accounts for May 2018(b) of £117; and v) ratify payment to accounts for May 2018 (c) of £15,418.21 and direct debits/cheques paid since last meeting of £853.39.
- c) Earmarked Reserves: **RESOLVED** to approve the following transfers from the general fund to Earmarked Reserves (EMR) a) £10,000 to the Vehicle and Machinery Replacement EMR; b) £10,000 to the Grounds Maintenance EMR; and c) £5,000 to the Neighbourhood Development Plan EMR.
- d) Bank Reconciliation availability was noted.

2018/19 Correspondence:

- a) Correspondence for information was noted.
- b) (i) Padstow Sailing Club: **RESOLVED** to approve the use of a marquee only for the dates specified within their letter, provided that the relevant risk assessments and public liability insurances are received and Council's insurers are satisfied.

(ii) Airfield of Britain Conservation Trust: Members considered

a request to erect a commemorative plaque for Padstow's World War One airfield. Members were supportive of the idea but felt that its relevance would be lost if the plaque was located within the town, away from the airfield. A more suitable location was thought to be Tregudda which looks towards the old airfield site.

RESOLVED that the landowner of Tregudda be approached and the opportunity to site a commemorative plaque for Padstow airfield be referred to them by the Town Clerk.

2018/20 Planning:

It was **RESOLVED** to make the **following response to planning application PA18/04689 St Francis Trevone Road Trevone Padstow:** Loft conversion with minor increase in ridge height with associated dormers and balconies, single storey side extension, garage relocation and refurbishment

SUPPORT

2018/21

Data Protection: Further to the agenda report, the Town Clerk provided a verbal update. Following the commencement of the new Data Protection Act 2018 on 25 May, all staff members had been issued with the Padstow Town Council Staff Privacy Notice, a General Privacy Notice had also been prepared and was displayed on Council's website. Council's Data Protection Officer (DPO) had confirmed she was satisfied with the proposed Data Protection Policy, the General Privacy Notice, Staff Privacy Notice and the privacy email disclaimers which were now being used on all office email signatures.

The Town Clerk had also undertaken a risk assessment and assessment of personal data. Work still being progressed was finding an electronic way for Council's contacts to opt in/out of future contact and information for Town Councillors.

The Town Clerk advised that the DPO was looking to produce clearer guidance for Councillors in relation to processing personal data and guidance for dealing with data breaches. For the time being the Town Clerk and DPO advised that Councillors refer all members of the public to the Council Offices and that they not forward emails or personal data themselves.

In response to a member query, the Town Clerk clarified that this was not meant to prevent Councillors carrying out their role but was the best advice for the moment. She also clarified that "personal data" was any data by which an individual could be identified and not simply a person's name and contact details. For example behavioural habits could also be an identifier and should therefore be treated as personal data.

One member believed that Councillors were permitted to forward personal data to the Council Office, even under the new Data Protection Regulations. His thoughts being, Councillors were part of the same organisation. The Town Clerk strongly advised against this in accordance with advice received from Council's DPO. The

Support Officer also advised that this would be contrary to the advice given at training sessions provided by CALC and Cornwall Council.

The Town Clerk confirmed that the DPO was satisfied with Padstow Town Council, commenting that we were further forward than other Councils on day one. It was acknowledged that the ICO didn't expect Parish and Town Councils to be fully compliant on day one. The Town Clerk sought Council's approval of the Data Protection Policy, subject to updating legislative references to the newly passed Act and also ratification of her actions in respect of the General Privacy Notice.

RESOLVED to i) approve and adopt the Padstow Town Council Data Protection Policy May 2018, subject to amending the reference to the Data Protection Act 1998 to reflect the new legislation; and ii) to ratify the actions of the Town Clerk in displaying and distributing the Padstow Town Council General Privacy Notice.

2018/22 Trevone Flag Pole: Further to the agenda report the Town Clerk advised that Cornwall Council Planning required clarification as to which flags would be flown from the Trevone flag pole. Recommendations from the Chairman had been the Blue Flag Award and the Seaside Award.

In response to a query, the Town Clerk confirmed she had spoken to the planning officer regarding her decision and its reference to advertisement consent rather than planning consent. However, the Planning Officer's decision remained unchanged.

Members considered the merits of future proofing the advertisement consent by adding in requests for additional flags such as the red no bathing and Cornish flags. It was decided that if the need arose other permissions could be applied for at a later date.

The Town Clerk advised that the RFO was content the planning fee in this regard could come from the LTOS Equipment, Furniture and Materials Budget. It was noted the fee would be £231.

RESOLVED to apply for planning permission for Trevone flag pole and to include a request for consent to fly both the Blue Flag Award and the Seaside Award and fee funded via budget outlined in the minutes

2018/23 Reports from Members/Outside Organisations: The Council Representative on the Memorial Hall Committee reported his attendance at a celebration at the Memorial Hall for the decedents of a key figure in the hall's restoration fundraising. The event had been well received.

2018/24 Meeting Dates: Dates were noted. Due to information still outstanding on matters for discussion it was **RESOLVED** to i) cancel the meeting of the Leisure, Tourism and Open Spaces Committee scheduled for 5 June 2018; and ii) to postpone the Highways, Roads and Transport Committee meeting scheduled for 5

June 2018 to 19 June at 7pm or on the rising of the Staffing Committee.

2018/25 It was **RESOLVED** to exclude the press and public due to the confidential nature of the business about to be transacted.

2018/26 **Confidential Minutes Tuesday 24 April 2018: RESOLVED** that the confidential minutes of the Full Council meeting held on Tuesday 24 April 2018, were a true record of the meeting and they were signed by the chair.

2018/27 **Confidential Minutes:** Having been tabled and read it was unanimously **RESOLVED** to adopt the confidential minutes and approve recommendations (if any) of the Leisure, Tourism and Open Spaces Committee held on 22 May 2018.

2018/28 **Padstow Sealife Safaris:** See confidential minutes.

2018/29 **Lease/Tenant Issues Update:** See confidential minutes.

Meeting closed at 8.17 pm