

**LOSTWITHIEL TOWN COUNCIL
Edgcumbe House
Fore Street
Lostwithiel
Cornwall
PL22 0BL**

01208 872323

clerk@lostwithieltowncouncil.gov.uk

Dear Councillor,

Councillors are hereby summoned under the Local Government Act 1972 Sch. 12 s10 to attend a meeting of Lostwithiel Town Council to be held at Church Rooms Lostwithiel on Tuesday 17th April 2018 commencing at 7.00pm when the following business will be transacted.

S Harris

Mrs S Harris
Town clerk
12 April 2018



**Lostwithiel Town Council Meeting
will be held at The Church Rooms Lostwithiel
on Tuesday 17 April 2018 at 7pm**

This meeting is open to the public and as such could be filmed or recorded by broadcasters, the media or members of the public. Please be aware that whilst every effort is taken to ensure that members of the public are not filmed, **the council cannot guarantee this**, especially if you are speaking or taking an active role. The council asks those recording proceedings not to edit the film or recording in a way that could lead to misinterpretation of the proceedings or infringe the core values of the council. This includes refraining from editing an image or views expressed in a way that may ridicule or show lack of respect towards those being filmed or recorded.

Housekeeping – Mayor Jarrett will advise the evacuation routes in case of an emergency and remind all persons present of the following: -

The meeting may be filmed or recorded

Members and Members of the Public are asked to set device ring tones/alerts to silent

Time allowed for members of the public to address the Council on matters relating to Lostwithiel – Maximum time allowed 15 minutes

- To receive the Community Police Report
- To receive the Cornwall Councillor Report

Meeting Agenda

1. To receive and accept Apologies of Absence.

If you are unable to attend on Tuesday 17th April could you please email clerk@lostwithieltowncouncil.gov.uk with your apologies before midday on 17th April 2018. Thank you.

2. To receive any Declarations of Interest or written requests for new DPI dispensations from Members.

Members are invited to declare disclosable pecuniary interests and other (non-registerable) interests in items on the agenda as required by Lostwithiel Town Council's Code of Conduct for Members and by the Localism Act 2011.

3. To receive the minutes of the meeting held on 3 April 2018 having previously been circulated and taken as read.

Please see separate attachment.

4. Lostwithiel Town Council Community Resilience –
 - (i) Neighbourhood Development Plan –
 - a) To approve a further consultation event and all associated costs to be held on 28 April 2018.

5. To consider planning applications

- a) PA18/02722 9 Cott Road, Lostwithiel
Variation of Condition 3 of Planning
Application no PA16/04240 dated 4 July
2016 to allow the development to be
occupied by paying guests on, for
example, a bed and breakfast use basis.

No Comments.

<http://planning.cornwall.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P5WGSBFGGBZ00&prevPage=inTray>

- PA18/02868 2 Castle Hill Lostwithiel
Proposed first floor extension with
internal alterations.

No Comments.

<http://planning.cornwall.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P61Y2AFGJU600&prevPage=inTray>

- b) to consider any planning applications received since
publication of the agenda.

6. General Data Protection Regulations – to consider the brief
overview provided.

GDPR – What you need to know.

Introduction

- a) The General Data Protection Regulation (“GDPR”) will take effect in the UK from 25 May 2018. It replaces the existing law on data protection (the Data Protection Act 1998) and gives individuals more rights and protection regarding how their personal data is used by organisations. Local councils and parish meetings must comply with its requirements, just like any other organisation.
- b) The GDPR's main concepts and principles are very similar to those contained in the current Data Protection Act 1998, therefore, if you are complying with the current law, much of what you currently do still applies under GDPR. However, there are some changes.
- c) One of the main changes to note is that the GDPR places a much greater emphasis on transparency, openness and the documents you need to keep in order to show that you are complying with the legislation. This is incorporated within the idea of "accountability".
- d) The GDPR will introduce new reporting requirements on council and parish meetings and will increased fines and penalties on organisations. The UK Government has made clear that after Brexit the UK will continue to adopt a similar standard for data protection as set out in the GDPR.
- e) The main differences between the Data Protection Act 1998 and GDPR will cover a wide range of areas including -

Record Keeping
Privacy Notices
Consent
Breaches
Right of Access
Data Privacy Impact
Assessments
Right of Portability

Privacy by Design
Right to Object to
Processing
Right to Erase
Profiling
Data Protection Officer

Underlying Principles

The GDPR has a number of underlying principles. These include that personal data –

- ✓ Must be processed lawfully, fairly and transparently.
- ✓ Is only used for a specific processing purpose that the data subject has been made aware of and no other, without further consent.
- ✓ Should be adequate, relevant and limited i.e. only the minimum amount of data should be kept for specific processing.
- ✓ Must be accurate and where necessary kept up to date.
- ✓ Should not be stored for longer than is necessary, and that storage is safe and secure.
- ✓ Should be processed in a manner that ensures appropriate security and protection.

The Key Changes

- Changes to how consent can be obtained from data subjects for the use of their data. For example, data subjects have to explicitly 'opt in' to allowing their data to be shared, and it must be made clear for what purpose their data is being used.
- Data subjects have new rights, such as data portability and the right to be forgotten.
- Data must only be used for the purpose it was gathered for and should be deleted when it is no longer needed for that purpose.
- Sanctions over sharing data outside the European Economic Area ("EEA") will be strengthened. This requires councils to

ensure appropriate privacy safeguards are in place with organisations (e.g. a business hosting and maintaining the council's server) holding data outside the EEA or that the 'importer' of data is on a list of countries which the European Union has deemed to have adequate protection for citizens regarding data protection.

- All councillors, managers and other relevant staff must have suitable training and awareness as well as additional sources of guidance and support when required.
- Conducting Data Protection Impact Assessments (DPIAs) in order to design data privacy into any new systems and processes will often be mandatory e.g. if new technology is deployed, where there is processing on a large scale of 'sensitive personal data', or if profiling is performed which will have an impact on individuals.
- Councils and parish meetings will need to appoint a Data Protection Officer.
- Data breaches must be reported (where this is required) to the ICO within 72 hours of the breach.
- A new principle of accountability puts the compliance burden on councils, requiring them to produce and maintain documents that demonstrate what actions have been taken to achieve compliance.

Who will be affected?

- The quick answer is every organisation in the UK that handles personal data including all local and public authorities. The GDPR applies to the personal data of individuals living in the

EEA and also to the export of personal data to countries outside the EEA.

- The GDPR applies to data controllers (people who specify how and why personal data is processed) and data processors (those who carry out the processing on behalf of the data controllers). Controllers must ensure that their processors comply with the legislation and the processors must also keep records of their processing activities. The new law means that both parties face a higher level of liability than they do under the existing law.

Key Points for Councils

- Consent for one type of data processing does not give councils permission to do anything else with the personal data e.g. a resident consents to be added to a newsletter mailing list and their details are used for a different purpose such as promoting the facilities of the council. Where councils collect consents e.g. to be added to an email mailing list, these consents will need to be recorded. Councils may need several different consent forms (or elements within a single form) to cover different areas of data processing within the activities of the council.
- Whilst the GDPR removes the requirement for data controllers to register with the ICO, councils will need to pay an annual "data protection fee".

Action Plan

There will be a number of steps that the council will have to undertake to become compliant with GDPR including -

Raise awareness of GDPR

Data Audit

Identify and document your 'lawful basis' for processing data.

Check your processes meet individuals' new rights

Know how you will deal with 'subject access requests'

Review how you get consent to use personal data

Update your policies and notices

Review Privacy notices

Review Data retention and disposal

Review websites

Review data sharing

Review CCTV (if used)

Review training

Build extra protection for children

Update your contracts to deal with processing by others

Personal data breaches, get ready to detect, report and investigate these

Build data protection into your new projects

Appoint a data protection officer

7. Cornwall Council Community Networks Highways Scheme – to consider the information provided by Tasha Davis Community Link Officer – St Blazey, Fowey & Lostwithiel and to approve the Council's response.

Please see email and attachments forwarded on 03/04/18 at 12.47.

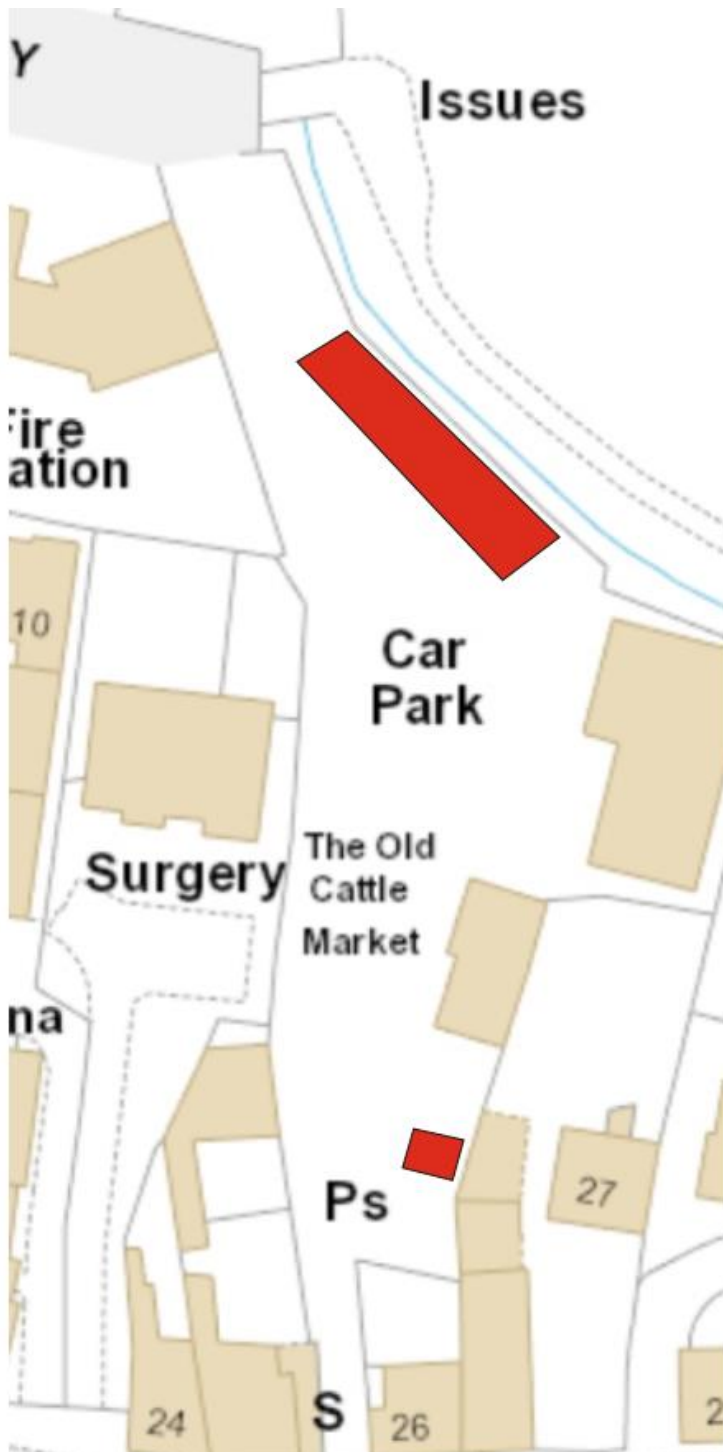
8. Annual ROSPA play area reports – to consider the reports received.
9. Annual Meeting – to consider the recommendation from Mayor Jarrett & Deputy Mayor Hughes that at the Annual Meeting on 1 May 2018 Lostwithiel Town Council appoints a Council Consort.

This proposal serves to ensure that more members of the Council get to experience the significant additional duties associated with appointment to the Mayoral or Deputy mayoral roles.

It further aims to assist the Mayor and Deputy Mayor in the delivery of their duties and to better equip any Councillor duly elected into the Council Consort role for possible later election into the role of Mayor or Deputy Mayor.

10. Council Communications working party – to consider further draft proposals
11. Lostwithiel Library – to authorise the submission of a planning application & all associated costs for the relocation of the stairs and removal of the first-floor open void in Taprell House (as illustrated on pages 18 & 19 of the draft pre-feasibility report).
12. Lostfest 2018
 - a) to consider the request for consent to use the Parade and King George V playing field on 20 May 2018

- b) to consider the request received to reserve 5 parking places in the North Eastern edge of the Cattle market car park for Lostfest officials and for performing groups to park whilst they unload their instruments for storage in the Oasis Centre plus a space for a disabled musician near the North Street entrance.



13. Lostwithiel Carnival – to approve use of Town Council land for the proposed 2018 programme.

Dear Mrs Harris,

2018 Lostwithiel Town Carnival

On behalf of the Rotary Club of Lostwithiel I am writing to seek Council approval of our plans, to date, for the 2018 Town Carnival which we wish to hold from Sunday 22nd to Saturday 28th July 2018.

Unfortunately there have been several setbacks with two pubs no longer wishing to host events and one organisation unable to continue to organise an event in addition to which the overall insurance cover which our Club has always enjoyed from our ruling body has been amended necessitating the investigation of other ways of obtaining full cover. As a result of this there are a number of issues still to be resolved which means I am not able to present to the Council the final timetable/plan.

The proposed week's programme is as below:

Sunday: Charity Fete Day on KGV in much the same format as previous years.

Monday: Six-a-side Cricket on KGV as in previous years.

Tuesday: As yet the Club is unable to find an organisation able to run the usual Rounders Competition on KGV. The search continues or for a different event.

Wednesday: Pram Race as usual in the afternoon. Band and Choir Concert in the Church in the evening. Normal road closures are being applied for.

Thursday: Street Party in a different position on The Parade centred on the area used by Sing-along-the-River where that organisation has offered to site their staging for the event. A mobile bar will be situated in the road as will Hog Roast and Barbecue as usual. Various other entertainments will, as usual, be provided. Usual road closures are being applied for.

Friday: Football Competition, this year run by the Football Club, on KGV.

Saturday: Carnival Procession will have to be run over a slightly different route because the Party cannot be hosted as before. It is the Club's wish to finish the Procession on the Parade and have a similar event to the Street Party with live music, hog roast and bar centred on the same area as Street Party. Necessary road closures will be applied for.

The Town Carnival is a notable event in the Town calendar and The Rotary Club will, as ever, do its utmost to ensure maximum enjoyment for visitors and residents whilst protecting flora and fauna where we are holding an event. The Club recognises that we are very much dependent on Town Council approval and support. The Club requests, therefore, that the Town Council considers and approves these proposals and is very happy to discuss further the Programme of Events and incorporate any suggestions or rulings from the Town Council.

Yours sincerely,

14. Lostwithiel Community Centre – to consider the request received to purchase benches, to note the plans for an 'alfresco' area and the intention to remove the conifers.

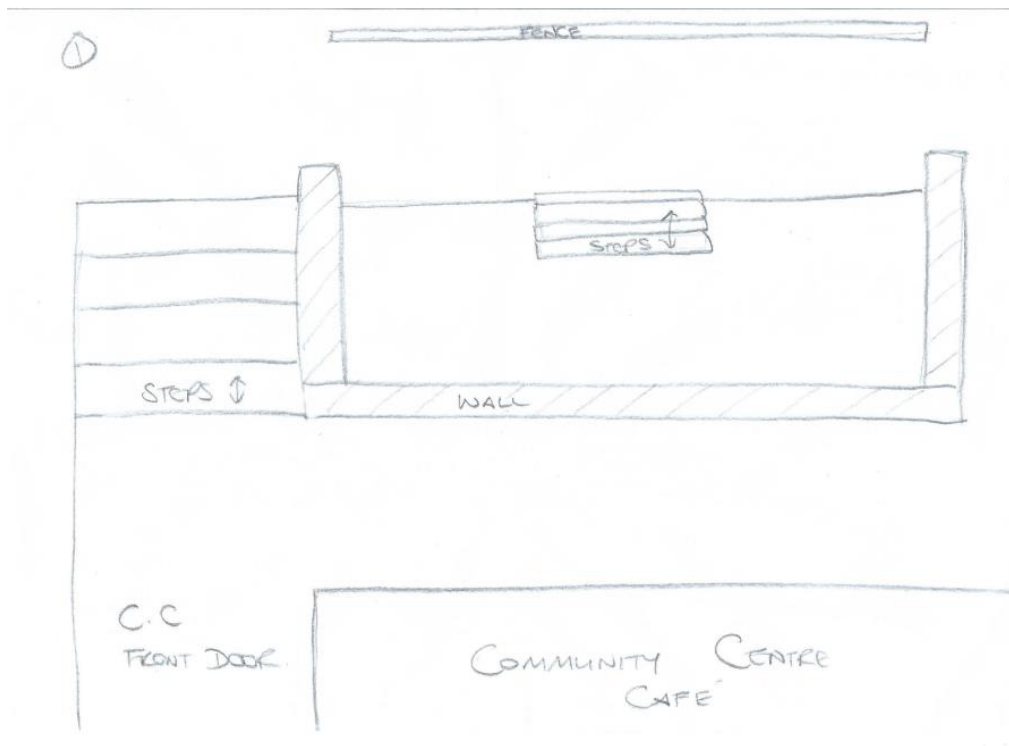
Thanks so much we have already sourced our scrap guy so watch this space...

I'm hoping we have saved you lots of money on this project, and in return perhaps a couple of new wooden benches like the ones we currently have under the trees, well they are tables and chairs really it would really help the look of the space??

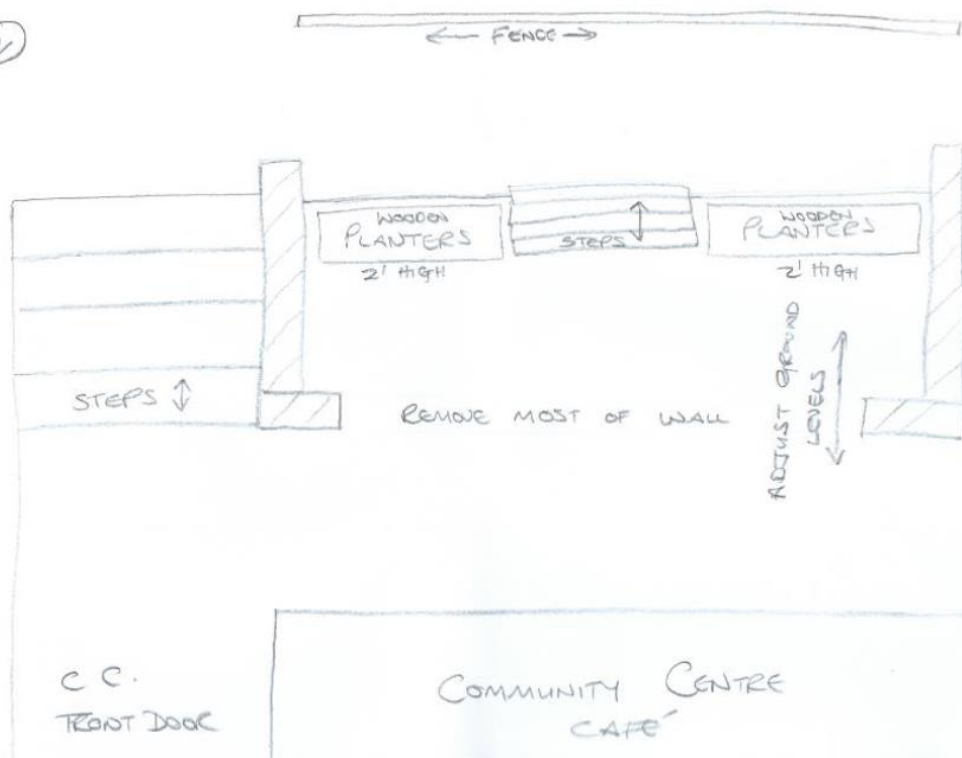
Don't ask don't get?

Thanks again for all your help in getting this lovely area sorted.....

- To enhance the outside space once the playground equipment has been safely removed, we would like to make some improvements to the area. In partnership with Simon Pryce of Community Café we would like to create an informal 'alfresco' dining area, including a possible community garden, within the fenced plot and incorporate the building by removing the wall that at present divides the space. In this way customers choosing to sit akin to the building have a view of the proposed new garden and also great outlook over the KGV field and surrounding vistas.



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- With regard to our proposal for outside alterations to the Community Centre we would also like to remove some trees in the Children's playground. This would be the very large conifers which we are led to believe could be blocking the leat under the KGV field which is adding to the flooding problem.

15. Fowey Harbour Commission – to consider a report on the meeting attended by Mayor Jarrett & Councillor Beedell.
16. Shire Hall Moor roadway – to update Council on any correspondence received
17. Shire Hall Moor – to consider the following publications
 - (i) Local Nature Reserves in England: A guide to their selection and declaration

(ii) Conservation Management System – A guide to Management Planning by Mike Alexander
and to resolve to approach Cornwall Council in accordance with Section 21 of the National Parks & Access to Countryside Act 1949 regarding the designation of Shire Hall Moor as a Local Nature Reserve.

18. Edgcumbe House – to receive any update regarding progress with the chimney and roof repairs
19. King George V playing field – to authorise the appointment of a contractor for the moles at a cost of £180.
20. Great Western Railway –
 - a) to approve the draft letter to request repositioning of the ‘stop’ marker for the new trains. Currently the markers overhang the level crossing and prevent the signalman raising the barriers once the train has stopped to allow passengers on the Town side of the crossing to join the train.

Dear Matt Barnes

Request following the introduction of the 2 + 4 HST rolling stock on services at Lostwithiel

In recent days we have noticed with interest, the first of the refurbished 2 + 4 HST trains working through Lostwithiel as replacements for the shorter 15X trains.

As you will be aware, Lostwithiel is noticeably one of very few mainline stations without a footbridge, with the operation of the level crossing being a daily feature of the lives of the travelling public. Historically, passengers wanting to travel towards Truro who have been caught on the 'up' side of the crossing, have often been able to still catch their intended service as the signaller raises the barriers after the short Sprinter train has cleared the crossing and stopped.

We have observed that when the same local service has been run with the new 2 + 4 HST, the position of the '2 + 4 STOP' marker at the far end of the platform means that the end of the train continues to foul the crossing, meaning that the signaller is unable to raise the barriers, and that subsequently regular passengers who are used to the barriers raising, are unable to cross the line and are missing their train. We further noted on Monday, that the 2+4 had been reduced to a 2+3 train, and that this allowed the barriers to be raised.

While we very much welcome the introduction of these trains and the increase in capacity, we wonder if it is possible to have the stop marker moved further down the platform to enable the 2+4 HST's to clear the level crossing, and for the barriers then to be raised as described above.

Lostwithiel Town Council is very concerned that if this issue is not addressed, many passengers will be increasingly inconvenienced as more of the shortened and refurbished trains are introduced. Our worst fear is that this inconvenience might encourage an individual to vault the barrier.

We would be happy to meet with you, or other representative of GWR at Lostwithiel Station to discuss this issue, and look forward to your reply

With thanks for your ongoing community engagement.

- b) To authorise Deputy Mayor Hughes's attendance at the 2018 GWR Community Rail Conference on 14 & 15 June 2018 at no cost to Lostwithiel Town Council.

I would be delighted if you could join us at our annual Community Rail Conference. We hold this event each year to bring together all those involved with, or who have an interest in, the various Community Rail lines and community activities across our region.

We will be holding this year's conference on Friday 15 June at STEAM – the Museum of the Great Western Railway, Fire Fly Avenue (off Kemble Drive), Swindon, SN2 2EY, where we hope to be able to inform you on lots of news and updates on GWR and our hard-working Community Rail Partnerships.

It will be a full day's conference with the opportunity for delegates to network and have a broader discussion on Community Rail over dinner on Thursday 14 June from 18.30 onwards. This will also be held at STEAM and overnight accommodation will be provided at the Jury's Inn, Fleming Way, Swindon SN1 2NG.

I would be grateful if you could please complete and return the details requested before Friday 20 April 2018.

Joining instructions, agenda and GWR travel pass (if requested) will all be sent out in advance of the conference.

21. Accounts and Finance
22. Correspondence
23. Notices
24. Items for next agenda

Under the Public Bodies (Admissions to Meetings) Act 1960, the public and representatives of the press and broadcast

media be excluded from the meeting during the consideration of the following items of business as publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.

25. Tree tender – to approve the tender document as drafted.
26. Lostwithiel Museum meeting – to consider the following:
 - (i) further correspondence received
 - (ii) to approve the drafted meeting agenda
 - (iii) to formally nominate four Councillors to attend the meeting and to mandate them to speak on behalf of the Council on the agenda items.