**MINUTES OF THE BOWERS GIFFORD AND NORTH BENFLEET**

**PARISH COUNCIL ANNUAL MEETING**

**HELD AT THE BENBOW CLUB BOWERS GIFFORD**

**ON WEDNESDAY 25th July 2018 AT 7.30 p.m.**

**PRESENT:**

**Councillors:** R. Smillie: S Pegg: T.Potter: D. Martin

**Ward Councillor:** Cllr. Craig Rimmer, Pitsea South East, Ward Councillor

**Parish Council Clerk:** Mrs Christine Barlow

**Members of the Public:**  7

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| **25/18** | **APOLOGIES FOR ABSENCE:** All Councillors were present. |
| **26/18** | **DECLARATION OF MEMBERS INTEREST:** To receiveany declarations of disclosable pecuniary interests, other pecuniary interests or non-pecuniary interests by members relating to any agenda items.  None declared |
| **27/18** | **MINUTES OF PARISH COUNCIL MEETING:** To approve the minutes of the Parish Council Meeting held on 27th June 2018.  It was pointed out that Councillor Stephen Hillier, Essex County Councillor for Pitsea, had not been recorded as present at the previous meeting and the minutes of the meeting of 27th June 2018 were amended to reflect this and initialled by the Chair.  Subject to the above amendment the minutes were confirmed as a correct and accurate record of the meeting and signed to reflect this by Councillor Robert Smillie, Chair. |
| **28/18** | **PUBLIC FORUM:** To enable residents to raise issues of concern with Parish Councillors (The time allowed for this item is 15 minutes)   1. It was noted that there had been an escalation of anti-social behaviour in the first week of the school holidays in Westlake Park and other areas in the Parish in recent weeks and a resident asked when the CCTV cameras were to be installed. There had also been other incidents of street lights being targeted and broken. The Parish Clerk advised she would provide an update regarding CCTV later in the meeting. Residents were urged to report all incidents of anti-social behaviour to the Police by calling 101 as if there were a significant number of reports of anti-social behaviour and damage the Police were more likely to investigate the reports and take action.      1. A pothole in Burnt Mills Road on a bend about 50 metres from the junction of Caultauld Road which was etched in orange had now sunk further and was becoming dangerous as vehicles were having to swerve in the path of oncoming traffic to avoid it. The Parish Clerk said she would endeavour to raise the issue with ECC Highways/Ringway Jacobs on the grounds of safety. 2. The meeting was advised that the Public Right of Way (PROW) 145 at the end of Lower Avenue was still blocking the footpath access from Elm Road to Burnt Mills Road. The Parish Clerk advised she had previously reported the issue to Essex County Council (ECC) PROW Officer and been advised that he was dealing with the matter. However when she had sent an email requesting an update to the Officer and sent a copy to the Departmental Manager she had been informed that the Officer had left the employ of Essex County Council and the vacant post had yet to be filled and the work was not being currently covered. The Parish Clerk stated she would endeavour to follow up the matter once again and also ask Councillor Hillier, Essex County Councillor for Pitsea, to raise a Member enquiry. 3. Councillor Pegg advised that residents of Lower Avenue had contributed £3500 each towards a road fund to resurface Lower Avenue. However, the crossover between Lower Avenue and Elm Road was still a matter of dispute and remained in a poor condition. Councillor Pegg also reiterated that work by Angian Water to install a new pumping station in Elm Road and a second station on Bradfield’s Farm, Burnt Mills Road, would help alleviate flooding in the area of Elm Road, Burnt Mills Road and Pound Lane. |
| **29/18** | **CLERKS REPORT:** To report on business undertaken since the last meeting to include:  **Report back on items raised at meeting on 27th June 2018:**   1. **The Parish Clerk update on the issues discussed at the previous meeting and advised**:   Item 22/18 PROW 143 (iv): Already covered in the Public Forum  Item 22/18 (8/18 (iv) – 27.6.18): Zebra Crossing lights – no response  Item 22/18 (8/18 -8/18 (ii) – 27.6.18: Pothole – junction of Kelly Road/Pound Lane – no update.  Item 22/18 (10/18- 27.6.18) Agenda item 35/18  (ii) **Crime reports:** From information provided there was only one report of crime in the Parish for the previous month. This was an incident of an attempted burglary in Pound Lane. Statistics showed that the Parish was judged as a low crime area, though various reports on social media evidenced crime went unreported as residents did not report it. Councillor Rimmer advised that if the Police could see an increase of reports of crime they have to investigate. He informed that Basildon Council’s 'Together for Safer Communities' public meetings, which are held at various locations and dates across the district in partnership with the Police, give residents the opportunity to raise community safety issues and gave information to residents on crime prevention. Councillor Pegg advised that she had recently attended a meeting in Castle Point that informed there were three major crimes that, because of their severity, were giving priority by the Police at the moment and these were (i) knife crime (ii) modern slavery and (iii) drug dealing.   |  |  |  | | --- | --- | --- | | 1. **Roadworks:** The Parish Clerk reported that information received from Essex Highways, via email, informed roadworks indicated that sometime between 28th July and 13th August two way traffic lights would be placed in Burnt Mills Road to enable for a junction off the highway to be laid accommodate the new Anglian Water Pumping Station. | | | |  |  |  |  1. **Parish-in-Bloom 2018 judging:** Judging will take place on Tuesday 31st July and a number of entries had been received. 2. **Picnic-in-the-Park Event 2nd September 2018:** Organisation for the Event was progressing well. Entertainment was being provided in the form of live music as in previous years and Santoy Dance Troupe would also be giving a performance. A local resident had also offered to sponsor a Children’s Entertainer for the afternoon and a variety of stall holders had agreed to attend. It was envisaged there would also be games, a BBQ and a raffle. A decision to include a Bouncy Castle was under consideration. More volunteers were needed to help set up on the day and residents were asked to contact the Parish Clerk if they were able to help. The time of the event was from 12.00 – 16.00. |
| **30/18** | **FINANCE REPORT:** TheResponsible Finance Officer to advise on:   1. **The Parish Council’s current financial position:** The Responsible Finance Officer provided a finance report to Councillors as follows:  |  |  | | --- | --- | |  | £ | | Balance at bank as at 22nd June 2018 | 12,229.48 | | Balance at bank as at 20th July 2018 | 12,832.36 | |  |  | | **Income: Locality** – Neighbourhood Planning | 2,022.00 | |  |  | | **Expenditure:** |  | | (414) PDS Printing & Design – Parish Newsletter | 395.00 | | (415) PDS Printing – Parish – in - Bloom flyers | 68.00 | | (416) Clerks Tax (A/M/J) plus Emprs. NI | 278.75 | | (417) Clerks Net Salary-June ( Inc. Sub. Office use/Tel/BB) | 677.37 | |  | 1,419.12 | |  |  |   Chris Barlow (RFO) explained that a grant of £2,022 from Locality, a national organisation funded by central government to support organisation developing Neighbourhood Plans, had been applied for and received to help support the cost of compiling the Neighbourhood Plan and paying for the services of a consultant to help regarding this. The total amount of grant to date received for this purpose was £17,950 and £17,000 of this was the maximum amount which the Parish Council could apply for as part of Locality’s funding resource for Neighbourhood Plans. Additional options to obtain more funding to complete the necessary requirements for a successful Plan were being explored.   1. **Change of Bank signatory:** As a result of Councillor Nigel Tyler standing down at the May elections, Councillor Potter (as per minute of Parish Council Annual Meeting held on 16th May 2018 minute 14/18ii ) had now been confirmed, by Barclays Bank, as the second bank signatory. |
| **31/18** | **Planning -** Councillors to review and comment on Planning Application/s under the Town and Country Planning Act 1990 (as amended)  **TOWN AND COUNTRY PLANNING ACT 1990 - APPLICATION NO: 18/00962/REM**  Approval for all matters reserved following consent ref: 14/01268/OUT for the demolition and removal of existing commercial buildings and associated yards (Class B1 - Business, and Class B2- General Industrial) and the construction of two detached chalet style dwellings. Burwood Works, Windsor Road, Bowers Gifford, Basildon, Essex SS13 2LH  Parish Councillors considered that they objected to the application on the grounds that the property was in the Green Belt and there were no special circumstances for granting the application. It was also considered that the Parish needed, at the present time, to safeguard what commercial enterprises existed within Bowers Gifford and North Benfleet as employment was a vital part of the future of the village.  **TOWN AND COUNTRY PLANNING ACT 1990 - APPLICATION NO: 18/00833/VAR**  Removal of condition 1 of planning permission ref: BAS/1196/92 to enable the existing dwelling to be occupied by someone not employed in the operation of the leisure facility approved under planning permission BAS/818/93 - Carpenters Farm, Harrow Road, North Benfleet, Basildon  Parish Councillors considered that they needed more time to consider previous documentation in relation to this planning application which had not been present on the BBC Planning Portal at the time of notification to the Parish Council. However, on the information presented, they felt that the application should be refused as previous conditions for the change of use had not been met and the previous grant of condition should not be removed. |
| **32/18** | **Planning decisions and comments –** To receive updates and comments on decisions in respect of planning applications discussed at previous meetings.  **Planning application No: 18/00847/NMABAS:** [To establish whether alterations to west facing elevations to include revised specification of external materials and provision of balconies to first floor free standing hotel rooms together with re-arranged associated hotel rooms plus installation of solar panels to roof can be considered as a non-material amendment to consent ref: 15/00557/FULL](https://planning.basildon.gov.uk/online-applications/applicationDetails.do?keyVal=PA9DKOCQ09O00&activeTab=summary) The Gun Public House, London Road, Pitsea, Essex, SS13 2DA - Granted  **Planning application No: 18/00791/LDC:** [To establish the lawfulness of the proposed use of the land for the siting of a mobile home for purposes incidental to and within the curtilage of the main dwelling](https://planning.basildon.gov.uk/online-applications/applicationDetails.do?keyVal=P9T613CQK1Z00&activeTab=summary) 18 Highlands Road Bowers Gifford Basildon Essex SS13 2HR - Certificate of Lawful Use issued.  **Planning Application No: 18/00566/FULL:** [Proposed single storey rear extension.](https://planning.basildon.gov.uk/online-applications/applicationDetails.do?keyVal=P7OP7GCQJLZ00&activeTab=summary) 5 Ilfracombe Avenue, Bowers Gifford, Basildon, Essex SS13 2DR  - Granted |
| **33/18** | **NEIGHBOURHOOD PLAN UPDATE:**  The Parish Council had met with Basildon Council Planning Officers and Essex County Council on 6th Julyin order to update all parties on the progress of both the Local Plan and Neighbourhood Plan as the new administration had tasked Planning Officers with the work of relooking at the viability of the Parish Council’s Neighbourhood Plan and it’s alternative strategy. Transport links and education were discussed with Essex County Council as well as the numbers of housing development proposed for the East of Basildon.  The Parish Council had also met with Councillor Baggott, Leader of Basildon Council’s new administration; Councillor Richard Moore, Chair of the Strategic, Planning and Infrastructure Committee; and Councillor Craig Rimmer, Ptsea South East Ward Councillor on 13th July and discussed their proposals for future development in the Parish. This meeting was very positive and Basildon Borough Councillors agreed to reconsider the East Basildon Framework and its original submission. Also on 13th July Parish Councillors and the Chair of the Neighbourhood Plan Steering Group, Bernard Foster, had met with Orbit Homes and St Modwen, prospective developers, to consider their proposals regarding alternatives to the development on the Little Chalvedon Hall Farm site.  As advised in the Financial report a further sum of £2,022 has been obtained to support the Parish Council’s Neighbourhood Plan progress together with the granting of some support packages to progress the Neighbourhood Development Order for the Plotlands areas and provide some of the analysis for the technical requirements and to run the NDO alongside the Neighbourhood Plan.  Councillor Rimmer, Pitsea South East Ward Councillor, advised that the Strategic, Planning and Infrastructure Committee were due to meet on 29th August to discuss the Bowers Gifford and North Benfleet Neighbourhood Plan and also Traveller and Gypsy sites. He advised that Basildon Council was proposing a Hub Model for these sites which meant that instead of small sites being distributed across they district they would be located in larger central locations. |
| **34/18** | **RISK ASSESSMENT:** To consider amending the Parish Council’s Risk Assessment to include new General Data Protection Regulations in respect of changes which came into force on 25th May 2018.  Councillors had been provided with the details of draft changes to the Council’s Risk Assessment to include new General Data Protection Regulations (GDPR). All were in **AGREEMENT** to adopt GDPR Risk Assessment as presented and amend as appropriate. |
| **35/18** | **CCTV POLICY AND PROCEDURE:** To update Councillors on the installation of CCTV in Westlake Park and discuss a CCTV Policy and Procedure to cover the use of cameras and update the Parish Council’s Risk Assessment in relation to this procedure.  Nine months previously with Basildon Council Officers, Basildon Borough Councillors and Essex County Council Councillors, had raised not objections to the installation of CCTV in Westlake Park. However following the introduction of General Data Protection Regulations 2015 (GDPR) and ratification of Basildon Council’s own Policy for CCTV a number of questions had been raised by Basildon Council’s Facilities Officer. A site meeting had taken place earlier in the day before the Parish Council meeting (25th July) with the relevant Basildon Council Facilities Officer, Basildon Council’s CCTV consultant and Elan Security, the Parish Council’s CCTV contractors to discuss issues and as a result and the fact that the Parish Council would be responsible for the management of the cameras all issues were resolved and an email to confirm had been received. The installation of the cameras would go ahead as soon as a revised date could be confirmed.  The Parish Council Clerk, as the nominated person on behalf of the Parish Council, would undertake the monitoring of the cameras following guidelines for the operation of CCTV cameras, as set out by the Information Commissioner’s Office (ICO). A draft CCTV policy and procedure had been provided to Parish Councillors for consideration and agreement.  Councillors **AGREED** to the Policy and Procedures and relevant documentation as presented (Appendix A)  **Proposed:** Councillor Terry Potter **Seconded:** Councillor Sheelagh Pegg. |
| **36/18** | **DATE OF NEXT MEETING:** The date of the next meeting will be 29th August 2018  The date of the next Parish Council meeting was confirmed as Wednesday 29th August 2018 subject to confirmation regarding any meeting by Basildon Borough Council’s Strategic, Planning and Infrastructure Committee to reconsider the Bowers Gifford and North Benfleet Neighbourhood Plan alternative strategy. |
| Signed:  Date: | ………………………………………………Councillor Smillie, Chair  31st October 2018 |

**APPENDIX A**

**Bowers Gifford and North Benfleet Parish Council**

**CCTV Policy**

This policy was adopted by the Council at its meeting held on 25th July 2018 Minute Ref. 35/18

**Introduction**

This policy is to control the management, operation, use and confidentiality of the CCTV system located at the Westlake Park, Pound Lane, Bowers Gifford. The site is owned by Basildon Borough Council but CCTV is managed by Bowers Gifford and North Benfleet Parish Council.

*The policy was prepared after taking due account of the Code of Practice published by the Data Protection Commissioner (revised 2015). This policy will be subject to periodic review by the Parish Council to ensure that it continues to reflect the public interest and that it and the system meets all legislative requirements.*

The CCTV Scheme is registered with the Information Commissioner under the Terms of the Data Protection Act 1998 / General Data Protection Regulations. Registration Reference: To be confirmed.

The Parish Council accepts the six data protection principles based on the General Data Protection Regulations as follows:

1. Processed lawfully, fairly and in a transparent manner in relation to the data subject (‘lawfulness, fairness and transparency’);
2. Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall, in accordance with Article 89(1), not be considered to be incompatible with the initial purposes; (‘purpose limitation’);
3. Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed (‘data minimisation’);
4. Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay (‘accuracy’);
5. Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 83(1) subject to implementation of the appropriate technical and organisational measures required by this Regulation in order to safeguard the rights and freedoms of the data subject (‘storage limitation’);
6. 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 (‘integrity and confidentiality’);”

**Statement of Purpose**

1. To provide a safe and secure environment for the benefit of those who might visit, work or live in the area. The system will not be used to invade the privacy of any individual, except when carried out in accordance with the law. The scheme will be used for the following purposes:
2. to reduce the fear of crime by persons using facilities at the Westlake Park , so they can enter and leave the facilities without fear of intimidation by individuals or groups;
3. to reduce the vandalism of property and to prevent, deter and detect crime and disorder; to assist the police, the Parish Council and other Law Enforcement Agencies with identification, detection, apprehension and prosecution of offenders by examining and using retrievable evidence relating to crime, public order or contravention of bye-laws;
4. to deter potential offenders by publicly displaying the existence of CCTV, having cameras clearly sited that are not hidden and signs on display in areas being monitored;
5. to assist all emergency services to carry out their lawful duties.

**Access to Images**

Images captured by the system will only be viewed if an incident is reported which is considered to meet the Code of Practice criteria.

A log will be kept by the Clerk recording each time the CCTV data is accessed and by whom.

Access to images and equipment is strictly controlled and limited to; the Clerk, police officers or any other member of a law enforcement agency with statutory powers of entry, the emergency services in connection with the investigation of an accident.

The CCTV system will not be used to provide recorded images to any third party, other than those specified above.

Images will not be supplied to the media, except on the advice of the police if is deemed to be in the public interest, and only with the approval of the Parish Council.

CCTV digital images, if they show a recognisable person, are personal data and are covered by the General Data Protection Regulations. Anyone who believes that they have been filmed by CCTV is entitled to ask for a copy of the data, subject to exemptions contained in the Act. They do not have the right of instant access.

A person whose image has been recorded and retained and who wishes access to their own recorded image must apply in writing, using a Subject Access Request form available from the Parish Council.

**Changes to the Purpose or Policy**

Any changes to CCTV Policy that would have a significant impact on either the purpose or this policy of operation of the CCTV scheme will take place only after discussion and resolution at a full Parish Council meeting.

Bowers Gifford and North Benfleet Parish Council will retain overall responsibility for the scheme. For further information, contact the Parish Council Clerk, Email: [clerkbgnbparishcouncil@gmail.com](mailto:clerkbgnbparishcouncil@gmail.com)

**CCTV Code of Practice**

In its use of the CCTV system, Bowers Gifford and North Benfleet Parish Council will comply with and follow the 12 guiding principles of the Surveillance Camera Code of Practice, namely:

1. Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.
2. Use of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.
3. There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints.
4. There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.
5. Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them.
6. No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system, and such images and information should be deleted once their purposes have been discharged.
7. Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose such access is granted; the disclosure of images and information should only take place when it is necessary for such a purpose or for law enforcement purposes.
8. Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards.
9. Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.
10. There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published.
11. When the use of a surveillance camera system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value.
12. Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date.

CCTV/BGNBPC/CAB

Adopted 25.7.18 Minute: 35/18