

PORTLAND TOWN COUNCIL

Council Offices
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11th April 2018

Dear Councillor

You are hereby summoned to attend the **TOWN COUNCIL MEETING**, to be held in **PETER TRIM HALL, ST. GEORGE'S CENTRE, REFORNE** on **WEDNESDAY, 18TH APRIL 2018**, commencing at **7.00 pm** when the business set out below will be transacted.

It should be noted that it is the Council's intention that all meetings of the Council and its Committees be recorded aurally.

Yours faithfully

Ian Looker
Town Clerk

AGENDA

1. **Chairman's Welcome**
2. **Prayers**
3. **Apologies for Absence** – to receive
4. **Declarations of Interest** – to receive any declarations from Councillors or Officers of pecuniary or non-pecuniary interests regarding matters to be considered at this meeting, together with a statement on the nature of those interests.
5. **Open Forum**
 - a) **Police** – to receive a report
 - b) **Public Half-Hour** (Limit: three minutes per speaker, thirty minutes total)
 - c) **Reports from Borough and County Councillors** – to receive
6. **Minutes**
 - a) **Town Council Meeting, 14th March 2018**
 - b) **Annual Town Meeting, 4th April 2018** (attached) – to approve
7. **Minute Update and Matters Arising** (see attached) – to receive
8. **Written Questions for the Chairman** – to receive replies
9. **Town Mayor's Announcements**
10. **Financial Matters**
 - a) **Payments for Authorisation** (to follow) – to approve
 - b) **2017/18 Financial Report to 31st March 2018** (attached) – to accept
11. **Council Chairman, Mayor and Deputy Mayor, 2018/19** – to receive nominations and vote upon them (see attached)
12. **BEACH** – to receive updates

13. **Calendar of Meetings, 2018/19** – to consider the content of two draft calendars (attached)
14. **Planning Application for Trees** – following a recommendation agreed at the Planning Committee in February that it provide comments on tree applications, to decide on an approach to the Borough
15. **Data Protection Policy** – to adopt formally the current working draft (attached)
16. **General Data Protection Regulation** – to receive a verbal update and consider the recommendation – that the Chairman of the Staffing Committee be appointed the Council’s Data Protection Officer
17. **Neighbourhood Plan** – to consider the following two recommendations of the Finance Committee meeting, 4th April 2018:-
 - a) that a total resource of £5,000 be set aside within the 2018/19 budget and this should be financed from reserves.
 - b) that Paul Weston’s continued engagement in 2018/19 is covered by Standing Order 11.1(a)(ii) and therefore there is no requirement to seek competitive quotation or tender.
18. **Archiving of Minutes** – to consider a report by the Clerk (attached)
19. **Risk Assessment, 2017/18** – to receive updates
20. **Freedom of Information Requests** – to consider options for requests about recordings (see attached)
21. **Reports from Representatives to Outside Bodies and Voluntary Posts** – to receive
22. **Exclusion of Press & Public (discretionary)**

“That pursuant to the provisions of Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the meeting for Agenda Item(s) ... by reason of the confidential nature of the business to be transacted.”

23. Date of Next Meeting

The next meetings scheduled to take place are the Annual Town Council Meeting (Mayor-Making) at the Weymouth & Portland National Sailing Academy, Osprey Quay on **Tuesday**, 15th May 2018 and the Adjourned Town Council Meeting at the Peter Trim Hall, St. George's Centre, Reforme on **Wednesday**, 16th May 2018, both at 7.00 pm.

PORTLAND TOWN COUNCIL
TOWN COUNCIL MEETING
HELD ON WEDNESDAY, 14TH MARCH 2018
AT THE PETER TRIM HALL, ST GEORGE'S CENTRE

PRESENT: Councillors Ray Nowak (Chairman), Jo Atwell, Sue Cocking, Charlie Flack, Chris Gover (arrival time not noted), Lucy Grieve, Sue Lees, Sandra Reynolds, David Symes, David Thurston, Sandy West and Rod Wild

IN ATTENDANCE: Ian Looker (Town Clerk), Dave Farmer (Mayor's Chaplain), Councillor Katharine Garcia (Dorset County Council and Weymouth & Portland Borough Council), Councillors Kerry Baker and Paul Kimber (both Weymouth & Portland Borough Council), Andy Matthews (Neighbourhood Plan Working Group) and ten members of the public

3631 – CHAIRMAN'S WELCOME

Cllr Nowak welcomed all to the meeting and advised of fire precautions at the hall.

3632 – PRAYERS

The Mayor's Chaplain led the meeting in prayer.

3633 – APOLOGIES FOR ABSENCE

Apologies were received from Cllrs. Jim Draper.

3634 – DECLARATIONS OF INTEREST

There were none.

3635 – ORDER OF BUSINESS

The Chairman said he would take Agenda Item 5(b) – Public Half-Hour after Item 11 – Financial Regulations.

3636 – OPEN FORUM

a) Police Question Time

There was no representative of the Police present.

c) Reports from Borough and County Councillors

Cllr Garcia detailed several items with which she had recently been involved, among them conversations with Dorset Highways about the Beach Road and the uneven state it had been left in. She said she supported the BEACH project in principle, but had concerns that the public had not been properly consulted.

Following from this Cllr Thurston queried issues that had arisen with Stone Firms. Cllr Nowak clarified that noise and vibrations along Reforne due to mining were due to cease in two months' time.

Cllr Kimber mentioned that it was still uncertain whether there would be local elections in May this year.

Cllr West said she was still waiting for replies to her requests for rubbish bins at two bus stops and road repairs on the approach to East Weare Road. Likewise there had been no response to her suggestion for a commemoration of the extension to suffrage in 1918 and 1928.

Cllr Nowak let it be known that he had voted against a 2% rise in the Borough Council Tax because of the Council's imminent demise. He had also raised the question of ownership of Portland Museum, currently in the possession of the Borough.

3637 – MINUTES OF MEETINGS

a) Extraordinary Town Council Meeting, 7th February 2018

b) Town Council Meeting, 14th February 2018

Both sets of minutes were formally approved and signed as a correct record.

3638 – MINUTE UPDATE AND MATTERS ARISING

Minute 3614, para 4 – Public Half-Hour

Cllr Nowak advised that the Council at a future date would also look at notifying the public of forthcoming meetings by e-mail.

3639 – WRITTEN QUESTIONS FOR THE CHAIRMAN

There were none.

3640 – TOWN MAYOR'S ANNOUNCEMENTS

Cllr Flack reported that he had received a letter from Richard Drax offering his support in providing opportunities for Islanders. He noted the recent successes of Portland Angling Club and complimented those who had assisted in the delivery of services during the recent spell of cold weather.

3641 – FINANCIAL MATTERS

a) Payments for Authorisation

It was agreed that the reimbursement of the payment to Autoglass be withheld until further notice from the Council's insurers.

RESOLVED – that the schedule of invoices (cheque refs. 300154 – 300156) in the sum of £10,977.82 including VAT be authorised for payment.

b) 2017/18 Financial Report to 28th February 2018

RESOLVED – that the report be accepted.

3642 – FINANCIAL REGULATIONS

RESOLVED – that the tabled alteration, "Insert new section, '5.4 The RFO shall only be required to pursue VAT for invoices of £20 or more. The RFO's discretion may be exercised for invoices less than £20.' and renumber the succeeding sections." Be approved.

3643 – FORMER BRACKENBURY INFANTS SCHOOL

a) Cllr Grieve gave a presentation to update the meeting on what stage the BEACH project had reached.

3644 – OPEN FORUM (Continued)

b) Public Half-Hour

Paul Snow asked several questions about the survey conducted as part of the BEACH project.

June Morley made several requests concerning the project and survey, including an independent enquiry into how the survey was conducted.

Cllr Baker expressed her support for the project, but asked what would happen to the building and site if the Council's bid was unsuccessful or the hub went ahead and subsequently failed to attract sufficient support for its services.

Cllr Kimber voiced his concern about the loss of services for the elderly on the Island and asked how the BEACH might make up that shortfall.

Cllrs Grieve and Nowak responded to the issues raised.

Rob Hughes criticised the expenditure of £2,000 on commemorative benches in respect of the First World War that had been mooted.

Linked with the BEACH Andy Matthews had two main regrets. Firstly the County Council had put into abeyance their Living and Learning project, which sought to make better use of public sector buildings on the Island, and secondly the Borough Council was taking steps to establish Weymouth on a new footing using money that had originally come from residents of Portland as well as Weymouth.

Mr Vincent wanted an Island referendum on the Beach project and further financial details.

3645 – FORMER BRACKENBURY INFANTS SCHOOL (Continued)

b) Prior to taking a vote on the tabled motion Cllr Nowak from the chair emphasised that if the County did not agree to transfer the property there would be no need to seek the loan.

RESOLVED – that the Council seek the Secretary of State's approval for the proposed borrowing to finance the BEACH project. The decision was unanimous.

c) Cllr Cocking said it had been estimated that it would cost the Council £16,000 a year to pay off the loan envisaged.

RESOLVED – that in the event of the publicised worst-case scenario occurring the cost of repaying the loan would be borne solely by the precept. It was estimated that the £16,000 figure was equivalent to a precept rise of £4.80 or 6.3%.

It was further **RESOLVED** – that the three quotations for the work involved in providing fire survey estimates be accepted.

3646 – FORMER SOUTHWELL PRIMARY SCHOOL

Mr Matthews reported that there had been no further negotiations since the last Council meeting. He would keep Council informed of any developments.

3647 – STAFFING

a) Town Clerk

Cllr Nowak informed the meeting that the present Clerk would be leaving on 30th April. The Council was in the process of appointing an interim replacement.

b) Overtime

RESOLVED – (i) that a total of up to four hours per week overtime be granted to staff for six weeks in March and April to be allocated at the discretion of the Clerk, and (ii) that £2,000 be released from reserves to Contingency for staffing and other incidental costs.

c) Assistant Clerk

The Staffing Committee will review the postholder's hours at its next meeting.

3648 – COMMEMORATIVE BENCHES

It was proposed by Cllr Nowak and **RESOLVED** – that Council obtain quotations for Armistice benches, seek a suitable site and look for sponsorship assistance with the cost if the Council decides to go ahead.

3649 – EVENTS & TOURISM WORKING GROUP

a) It was proposed by Cllr Gover and **RESOLVED** – that the Group be redesignated as the Events Committee with ad hoc working groups as and when necessary.

b) Cllr Nowak presented a report. The Lottery Fund had approved the accounts submitted and allowed the Council to retain the £500 residue from the original grant. Both Portland Sparkle and the Summer Fete had proved successful.

Cllr Lees advised that she knew of a suitable beam on which to mount a beacon, though it would need restoration. Cllr Nowak was negotiating with the Borough for a suitable site on which to locate the beacon.

Cllr Thurston suggested that the Council award an annual certificate of appreciation to recognise the work of individual Islanders on behalf of the community. This idea will be discussed at the next Events Committee meeting.

3650 – CALENDAR OF MEETINGS, 2018/19

This item was postponed until the next meeting.

3651 – GRIT BINS

Cllr Flack spoke to his written report. There was a need to refill the existing bins and consider the purchase of more community bins. The Clerk was asked to write to Dorset Highways that they consider installing more of their own bins, after which the Finance Committee will consider the provision of any further.

3652 - REPORTS FROM REPRESENTATIVES TO OUTSIDE BODIES AND VOLUNTARY POSTS

No reports were presented.

3653 – DATE OF NEXT MEETING

The next scheduled meeting is due to take place at the Peter Trim Hall, St George's Centre on Wednesday, 18th April 2018, starting at 7.00 pm.

The meeting ended at 9.00 pm.

Signed Dated.....
(Chairman)

PORTLAND TOWN COUNCIL

MINUTES OF THE ANNUAL TOWN MEETING HELD ON WEDNESDAY, 4TH APRIL 2018 AT PETER TRIM HALL, ST. GEORGES CENTRE, REFORNE

PRESENT: Councillors Ray Nowak (Chairman), Charlie Flack (Town Mayor), Jo Atwell, Jim Draper, Chris Gover, Sandra Reynolds, David Thurston, Sandy West and Rod Wild

IN ATTENDANCE: Ian Looker (Town Clerk), Councillors Katharine Garcia and Kate Wheller (both Dorset County Council and Weymouth & Portland Borough Council), Kerry Baker and Paul Kimber (both Weymouth & Portland Borough Council), Andy Matthews (Neighbourhood Plan Working Group and Portland Community Partnership), together with six members of the public.

18/1 – APOLOGIES FOR ABSENCE

Apologies were received from Councillors Sue Cocking, Lucy Grieve and Sue Lees.

18/2 – MINUTES OF THE ANNUAL TOWN MEETING, 5TH APRIL 2017

The minutes having already been formally agreed, they were noted.

18/3 – MATTERS ARISING FROM THE MINUTES

Minute 17/3 – Mayors' Plaque

Cllr. Nowak drew the meeting's attention to the fact that the plaque was now in position where the meeting was being held.

18/4 – CHAIRMAN'S REPORT, 2017/18

Cllr. Nowak gave a verbal report. He began by mentioning the six plots of land on the Island that the Borough Council intended to dispose of. The Borough had made concessions in response to requests from the Town Council.

A petition against the closure of the Island's last bank had failed, but the action had revealed that very few of the Islanders' accounts were registered against the branch itself. This was a pointer perhaps for other places in the country who might face similar circumstances in the future.

Also in the face of many protests the Search & Rescue service had been withdrawn from the Island. However a large crowd gathered for the civic and community events organised by the Council to commemorate its leaving.

Cllr. Nowak commented on the Council's plans for a community hub and noted that August 2017 marked the first time the possibility was raised of using Brackenbury School as a community facility.

The Council had held a summer fete for the first time besides Portland Sparkle, both of which had been successful and would be repeated.

Cllr. Nowak referred briefly to the health problems in 2017 experienced by Cllr. Thurston the Town Mayor, the Town Crier and himself. Cllr. Flack had been elected to complete the mayoral term.

Currently discussions were taking place with the Borough about the transfer of assets to the Town, including the Olympic area at New Ground.

Finally, Cllr. Nowak was pleased to announce that the County Council had agreed earlier in the day to accept the Town's bid for the BEACH, the community hub at Brackenbury. As a result, the Council would now be applying for both a low-cost loan and a grant to help reduce the burden on the precept.

18/5 – TOWN MAYOR'S REPORT, 2017/18

Cllr. Flack itemised some memorable events of the mayoral year:-

- D-Day anniversary commemoration service
- Visits to HMS Duncan
- The opening of the Memory Stones
- Passchendaele 100th anniversary service
- Civic events attended around Dorset and Somerset
- Merchant Navy Day service
- 140th anniversary of SS Avalanche
- TS Penn annual parade
- HMS Illustrious memorial service
- Annual Portland photography competition
- Armistice commemoration and Remembrance Sunday services
- Seventeen carol services at Christmas!
- Angling Club annual dinner
- Local Sea Cadets presentations and Girl Guides' Thinking Day
- The Ceremony of the Keys at Easton Methodist Church in March
- Tour of the Atlantic Academy

Cllr. Flack closed by giving notice that the Borough Council elections due this year had been postponed until 2019.

18/6 – FINANCIAL REPORT FOR 2017/18

The Clerk explained that the accounts presented were not complete to 31st March as they had been drafted a few days prior and one or two small additional payments were expected before the end of the year. There were no questions on the report from those present.

18/7 – TOWN CRIER'S REPORT, 2017/18

The Town Crier was not present.

18/8 – ELECTORS' ITEMS

Paul Snow offered the Council his congratulations on the acceptance of its bid for the BEACH. He also recorded his pleasure that at the Finance Committee that morning he had been promised the Council would hold a public meeting concerning the BEACH and the application for loan funding, the event to be

widely publicised. Cllr. Draper provided more detail and said the meeting would be arranged to take place shortly.

Cllr. West asked what was the current situation on the Comer Homes site. Among the detail Cllr. Nowak gave in his reply was that there would be about four hundred units of accommodation, none of it in the “affordable” category unfortunately. When completed the scheme would provide £1m of infrastructure funding. The constructive disposal of that sum would be pursued by the Town Council.

Andy Matthews said there was the possibility that “growth town” funding might be revived and he stressed the Community Partnership was keen to work with the Town Council in developing services on the Island.

Mrs Snow drew attention to the single road that served as the Island’s link to the mainland. Recently it had been badly affected by road works. She wondered what the Council could do to achieve better transport links.

18/9 – DATE OF NEXT ANNUAL TOWN MEETING

This had yet to be determined.

The meeting ended at 7.40 pm.

Signed Dated
(Chairman)

MINUTE UPDATE

a) Minute 3625 – Co-option of Councillor for Underhill

There was no response to the March advertisement in the Free Portland News of the vacancy and a further advertisement will be placed in the May edition.

b) Minute 3651 – Grit Bins

We have not yet written to Dorset Highways requesting provision of more bins. We shall do so as soon as it can reasonably be accommodated within the work schedule.

Portland Town Council - Financial Report, 18.4.18

	Budget 2017/18	Expend. 2016/17	Expend. to 31.3.18	Paid / Rec'd to Date (%)
EXPENDITURE				
Salaries	30,500	30,152	34,162	112.01
Advertising	286	229	465	162.59
Audit	1,326	890	651	49.10
Bank Charges	70	185	61	87.14
Civic Expenditure	2,020 ¹	579	2,060	101.98
Computer Equipment	306	236	0	0.00
Computer Software	367	21	155	42.23
IT Support	255	0	454	178.04
Contingency	2,400	0	0	0.00
Council Offices	12,000	25,019	13,788	114.90
Elections	4,000	4,209	0	0.00
Furniture & Equipment	624	365	891	142.79
Hire of Halls	857	990	886	103.38
Honorarium	100	100	100	100.00
HR Support	1,600 ³	0	1,525	95.31
Insurance	1,530	1,250	863	56.41
Legal Fees	0	703	0	-
Mayoral Allowance	1,000	1,000	1,000	100.00
Postage	500	545	284	56.80
Publications	20	114	0	0.00
Stationery	700	684	617	88.14
Subscriptions	1,632	1,638	1,561	95.65
Telephone / Internet	510	605	614	120.39
Training / Conferences	800	285	380	47.50
Travelling & Subsistence	102	142	12	11.76
Sub-Total	63,505	69,941	60,529	95.31
BEACH	0	0	167	-
Cheyne Weares	0	236	0	-
Gifts and Donations	102	93	190	186.27
Grants	1,400 ²	1,915	1,525	108.93
Landscape Maintenance	6,000	1,284	1,785	29.75
Lottery-Funded Events	500	901	3,428	685.60
Lottery-Funded Facilities	1,000	0	0	0.00
Neighbourhood Plan	3,000	3,923	13,135	437.83
Office Move	800	4,298	1,463	182.88
Projects	5,000	1,400	2,606	52.12

Town Crier	50	35	35	70.00
Website	1,224	1,290	1,346	109.97
Sub-Total	19,076	15,375	25,513	133.74
TOTAL	82,581	85,316	86,042	104.19
INCOME				
Precept	76,132	63,679	76,132	100.00
Discount Grant	549	2,007	549	100.00
Compensation	0	50,000	0	-
Council Offices Rent	3,000	0	0	0.00
Fair	1,000	1,000	1,000	100.00
Grant Income	0	0	798	
Hire of Halls Refund	0	1,350	0	-
Interest	0	192	2	-
Lottery-Funded Events	900	5,800	1,177	130.78
Lottery-Funded Facilities	1,000	0	0	0.00
Neighbourhood Plan Grant	0	3,375	10,500	-
Sale of Council Furniture	0	1,909	0	-
Other	0	231	0	-
TOTAL	82,581	129,543	90,158	109.18
SURPLUS / DEFICIT (-)	0	44,227	4,116	
FOR YEAR				
RESERVES RELEASED				
Lottery Fund				
Neighbourhood Plan	3,000		2,635	
TOTAL	3,000		2,635	
Net Total after Reserve Release	3,000		6,751	

¹ £1,000 vired from Contingencies to Civic Expenditure, 20.9.17

² £400 added to budget from Events income, ref RN 9.10.17

³ £1,600 vired from Contingencies to HR Support, 15.11.17

Council Offices **Expend. to
31.3.18**

Council Tax	1,273
Electricity	1,681
Refuse Sacks	49
Rent	10,500
Water & Sewerage	150
Building Materials	21
Contractor Payments	95
Equipment	95
Insurance	355
Planning Fee	193
Refund of Contractor Payment	-623
Total	£13,789

Lottery Events **Expend. to
31.3.18**

Advertising	199
Catering Expenses	690
Equipment (inc Hire)	850
First Aid	92
Flags	450
Furniture	66
Insurance	78
Licence	71
Materials	120
Performamce Fee	450
Pony Rides	85
Printing	82
Prizes	182
Stationery	12
Total Expenditure, 2017/18	3,427
Total Expenditure, 2016/17	901
	<u>4,328</u>
Projected Additional Expenditure	1,370
	<u>5,698</u>
Lottery Grant	-5,800
Projected Refund	-102
	<u>-1,137</u>
Income (less £40 donation)	-1,137
Total	£2,290

Neighbourhood Plan **Expend. to
31.3.18**

Advertising	275
Computer Software	403
Consultant's Fee	11,100
Printing	875
Staff Overtime	282
Website	200
	13,135
Grant Received	-10,500
Reserves Released	-2,635
Total	£0

ELECTION OF CIVIC DIGNITARIES FOR 2018/19

Existing policy guidelines are as follows:-

- (a) The seniority list is made up with Past Mayors' seniority taken from the date of Mayoral Year end.
- (b) If several Councillors are eligible with identical seniority, then seniority will be determined in alphabetical order.
- (c) The Deputy Mayor will proceed to Mayor after one year's service as Deputy.
- (d) Cumulative service counts towards seniority.

Councillor	Commencement of Service	Cumulative Service up to 1st May 2018 (Years - Months)	Years of Service for Mayoral Purposes
R Nowak	18 November 2015*	4-11	4-11
S Reynolds	14 August 2013	4-8	4-8
D Symes	7 May 2015*	4-1	4-1
J Draper	7 May 2015*	5-11	3-10
S Lees	14 August 2014	3-8	3-8
J Atwell	7 May 2015	2-11	2-11
S Cocking	7 May 2015	2-11	2-11
C Gover	7 May 2015	2-11	2-11
R Wild	6 May 2011	6-11	1-11
L Grieve	19 April 2017	1-0	1-0
S West	7 May 2015*	12-9	0-11
D Thurston	7 May 2015*	9-6	0-6
C Flack	7 May 2015	2-11	0-0

* not including previous period of service

April 2018

CALENDAR OF MEETINGS, 2018/19

Draft (1) is the calendar originally presented in February. It is based on the calendar for 2017/18 and allows for the possibility of no meetings in August or December. Since the monthly schedule of invoices has to be approved to accord with the payment of salaries on the 20th alternative dates for the Finance Committee meeting are shown.

Draft (2) allows for the possibility of Council meetings later than usual in June or July. If either of these later meetings are adopted a Finance Committee meeting in mid-month will have to be arranged to deal with the invoices. Similarly if the March Town Council meeting is cancelled a Finance meeting will be required on or about the 13th.

Neither draft makes provision for Staffing or Events Committee meetings.

DATA PROTECTION POLICY

The policy detailed below was presented as a draft to the Town Council at its meeting on 19th March 2014. It was resolved then to accept it without any changes as a working draft policy. It is now brought to Council again that it might receive formal approval.

PORTLAND TOWN COUNCIL

Data Protection Policy

Introduction

The Town Council is fully committed to compliance with the requirements of the Data Protection Act 1998 (“the Act”), which came into force on the 1st March 2000.

The Council will therefore follow procedures that aim to ensure that all employees, elected members, contractors, agents, consultants, partners or other servants of the Council who have access to any personal data held by or on behalf of the Council, are fully aware of and abide by their duties and responsibilities under the Act.

Statement of Policy

In order to operate efficiently the Town Council has to collect and use information about people with whom it works. These may include members of the public, current, past and prospective employees, clients and customers, and suppliers. In addition it may be required by law to collect and use information in order to comply with the requirements of central government. This personal information must be handled and dealt with properly, however it is collected, recorded and used, and whether it be on paper, in computer records or recorded by any other means there are safeguards within the Act to ensure this.

The Town Council regards the lawful and correct treatment of personal information as very important to its successful operations and to maintaining confidence between the Council and those with whom it carries out business. The Council will ensure that it treats personal information lawfully and correctly. To this end the Council fully endorses and adheres to the Principles of Data Protection as set out in the Data Protection Act 1998.

The Principles of Data Protection

The Act stipulates that anyone processing personal data must comply with **Eight Principles** of good practice. These Principles are legally enforceable.

The Principles require that personal information:-

- 1) shall be processed fairly and lawfully and in particular, shall not be processed unless specific conditions are met;
- 2) shall be obtained only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or those purposes;
- 3) shall be adequate, relevant and not excessive in relation to the purpose or purposes for which it is processed;
- 4) shall be accurate and, where necessary, kept up to date;
- 5) shall not be kept for longer than is necessary for that purpose or those purposes;
- 6) shall be processed in accordance with the rights of data subjects under the Act;
- 7) shall be kept secure i.e. protected by an appropriate degree of security;
- 8) shall not be transferred to a country or territory outside the European Union, unless that country or territory ensures an adequate level of data protection.

The Act provides conditions for the processing of any personal data. It also makes a distinction between **personal data** and “**sensitive**” **personal data**.

Personal data is defined as, data relating to a living individual who can be identified from:-

- That data;
- That data and other information which is in the possession of, or is likely to come into the possession of the data controller and includes an expression of opinion about the individual and any indication of the intentions of the data controller, or any other person in respect of the individual.

Sensitive personal data is defined as personal data consisting of information as to:-

- racial or ethnic origin;
- political opinion;
- religious or other beliefs;
- trade union membership;
- physical or mental health or condition;
- sexual life;
- criminal proceedings or convictions.

Handling of Personal / Sensitive Information

The Town Council will, through appropriate management and the use of strict criteria and controls:-

- observe fully conditions regarding the fair collection and use of personal information;
- meet its legal obligations to specify the purpose for which information is used;
- collect and process appropriate information and only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements;
- ensure the quality of information used;
- apply strict checks to determine the length of time information is held;
- take appropriate technical and organisational security measures to safeguard personal information;
- ensure that personal information is not transferred abroad without suitable safeguards;
- ensure that the rights of people about whom the information is held can be fully exercised under the Act.

These include:-

- the right to be informed that processing is being undertaken;
- the right of access to one's personal information within the statutory forty days;
- the right to prevent processing in certain circumstances;
- the right to correct, rectify, block or erase information regarded as wrong information.

In addition the Town Council will ensure that:-

- there is someone with specific responsibility for data protection in the organisation;
- everyone managing and handling personal information understands that they are contractually responsible for following good data protection practice;
- everyone managing and handling personal information is appropriately trained to do so;

- everyone managing and handling personal information is appropriately supervised;
- anyone wanting to make enquiries about handling personal information, whether a member of staff or a member of the public, knows what to do;
- queries about handling personal information are promptly and courteously dealt with;
- methods of handling personal information are regularly assessed and evaluated;
- performance with handling personal information is regularly assessed and evaluated;
- data sharing is carried out under a written agreement, setting out the scope and limits of the sharing. Any disclosure of personal data will be in compliance with approved procedures.

All elected members are to be made fully aware of this policy and of their duties and responsibilities under the Act.

All managers and staff within the Council's directorates will take steps to ensure that personal data is kept secure at all times against unauthorised or unlawful loss or disclosure and in particular will ensure that:-

- paper files and other records or documents containing personal / sensitive data are kept in a secure environment;
- personal data held on computers and computer systems is protected by the use of secure passwords, which where possible have forced changes periodically;
- individual passwords should be such that they are not easily compromised.

All contractors, consultants, partners or other servants or agents of the Council must:-

- ensure that they and all of their staff who have access to personal data held or processed for or on behalf of the Council, are aware of this policy and are fully trained in and are aware of their duties and responsibilities under the Act. Any breach of any provision of the Act will be deemed as being a breach of any contract between the Council and that individual, company, partner or firm;
- allow data protection audits by the Council of data held on its behalf (if requested);

- indemnify the Council against any prosecutions, claims, proceedings, actions or payments of compensation or damages, without limitation.

All contractors who are users of personal information supplied by the Council will be required to confirm that they will abide by the requirements of the Act with regard to information supplied by the Council.

Implementation

The Council has an appointed Information Officer who will be responsible for ensuring that the Policy is implemented. Implementation will be led and monitored by the Information Officer. The Information Officer will also have overall responsibility for:-

- the provision of cascade data protection training, for staff within the Council;
- the development of best practice guidelines;
- carrying out compliance checks to ensure adherence, throughout the Council, with the Data Protection Act.

Notification to the Information Commissioner

The Information Commissioner maintains a public register of data controllers. The Town Council is registered as such.

The Data Protection Act 1998 requires every data controller who is processing personal data, to notify and renew their notification, on an annual basis. Failure to do so is a criminal offence.

The Information Officer will review the Data Protection Register annually, prior to notification to the Information Commissioner.

Any changes to the register must be notified to the Information Commissioner, within Twenty-eight days.

To this end any changes made between reviews will be brought to the attention of the Information Officer immediately.

ARCHIVING OF MINUTES

The minutes of Portland Urban District Council were bound as individual volumes for each municipal year and housed in a glass-fronted bookcase in the Mayor's Parlour at the old Fortuneswell Offices. When the Council moved to Easton Street they were unloaded to shelves in the storage area behind the rear office in a fairly haphazard order. Sadly putting them back in order has remained a very low work priority.

Since we had no cause to consult these minutes after Council's decision to accept the Borough's termination agreement on the Fortuneswell Offices it might be appropriate to **transfer them to remote storage**. A local historian advised us that the Dorset History Centre in Dorchester would be the best place to take them. There they can be catalogued and stored in the best archival conditions.

From 1975 the signed Council minutes have remained filed within their original meeting agendas. Collating and binding them for a single year should not be too onerous or expensive, but embarking on all the forty-plus years we now have becomes steadily more daunting.

My **recommendation** is that these files too, apart from those no more than seven years old, also be passed to the History Centre until such time as the Council wishes to grasp the nettle.

Two benefits to be gained are that a lot of storage space at Easton would be freed and the Council would have so much less to box up and transport when it moves to the BEACH.

If time permits I would be willing to transport some or all of these archives to Dorchester on my way home.

FREEDOM OF INFORMATION REQUESTS

Essentially the issue is technical, how we respond to requests for copies of recordings of Council meetings. The first request only came a few weeks ago, but since then we have had two more.

We responded to the first by contacting our IT support company, who asked us to bring the original recording to their office. The Clerk duly complied and had to wait about half an hour while the recording was transferred to a spare flashdrive we had. The company's total charge was £25, which was all we recharged the originator of the request, though there were extra hidden items of cost to the Council.

The second request was for more copies of the same meeting. We had not anticipated this and therefore they would probably have cost us just as much to produce.

The third request was for a recording of a different meeting. The person concerned balked at paying around £25 and said there were cheaper technical alterations available. We do not have sufficient technical knowledge within the administration to comment on this. The Chairman has suggested the "broadcast" options of the County and Borough, but we have not had sufficient time to pursue that with him.