



# Boughton Malherbe Parish Council

[boughtonmalherbe.co.uk](http://boughtonmalherbe.co.uk)

## NOTICE OF A MEETING OF THE PARISH COUNCIL

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To: All Councillors,

You are hereby summoned to a Meeting of Boughton Malherbe Parish Council at 7.30pm  
Monday 5th July 2021 to be held in the village hall

Dated: 30<sup>th</sup> June 2021.

Chris Hume, Parish Clerk

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Members of the public are very welcome to attend and will have an opportunity to speak.  
All background papers can be found on the council's website under Parish  
Council/Background Documents

### AGENDA

1. **Anybody filming or recording this meeting to declare it.**
2. **Apologies** – to receive and accept apologies for absence.
3. **Declarations:**
  - Any lobbying**
  - Any interest in items on the Agenda**
  - Any changes to the register of pecuniary interests**
4. **Approval of Minutes** – to approve the Minutes of 17<sup>th</sup> May 2021
5. **Matters Arising**
6. **Public Session**
7. **Planning Outcomes since 17<sup>th</sup> May 2021**
8. **Local Policing/Community**
  - 8.1 Police/Crime Report - stats to be tabled at the meeting
  - 8.2 Speedwatch
9. **Highway and Footway Matters**
  - 9.1 **Liverton Hill, Ditches, gullies, potholes**
  - 9.2 **59 Bus**
  - 9.3 **Litter**
  - 9.4 **Highways Improvement Plan** – to note there are no changes to report. Latest version is on the website
  - 9.5 **Footpaths** – (i) to receive an update on the footpaths map for the village green  
(ii) to agree the proposed list of 14 stiles as a priority for replacement with gates (report circulated separately) and consider a suitable budget  
(iii) Footpaths and farms map - to receive a verbal update from the Clerk on a proposal for producing a map showing rights of way and farms before deciding whether to proceed
  - 9.6 **Eastwood Road/Headcorn Road junction** – update from Cllr Kennaird
  - 9.7 **Road Closures** – to discuss issues raised by Martin Round and Chris Wheel regarding uncoordinated closures.

10. Councillor Reports on any External Meetings attended
11. Finance
  - 11.1 To note the Balance at the Bank:
 

Nat West	£52,704.70
Nationwide	£14,150.58
Cambridge and Counties	£22,963.65
  - 11.2 Income since the last meeting : PSS £205.40
  - 11.3 Bank Reconciliation – to agree statement below
  - 11.4 Any cheques to sign: none
  - 11.5 Authorisation of any payments since the last meeting: none
  - 11.6 Procedure for approving and checking online banking payments – to approve the procedure below and agree to add this to the Financial Regulations
12. Traffic Calming Update – to note that the works will commence on the 23<sup>rd</sup> August 2021
13. Speed Indicator Device (SID) Update – to note the outcome of a further site survey by KCC (below)
14. Quinn Donation – (i) to receive a report on spend to date – see table below  
(ii) to consider options for further use of the donation (matrix circulated separately containing proposals to date)
15. GDPR – Email Addresses – to receive a report on progress and discuss next steps (see below). To resolve that whilst the council encourages the use, by Councillors, of council specific email addresses this is a matter of choice for each councillor depending on the ease of use of these accounts. Ability to carry out their work as a councillor is a consideration in this decision.
16. Correspondence
17. Further Information

## BANK RECONCILIATION STATEMENT

Bank Balances at 31st March 2018	as at 31st March 2020	21	£p
(as per Bank Statements)			
Nat West Current Account			48,072.99
Nationwide			14151
Cambridge and Counties			22,963.65
			85,187.22
Less Unpresented Cheques:-			199.00
			<b>84,988.22</b>
			<b>£p</b>
Balance brought forward 1st April 2017	forward 1st April 20		84,988.22
Receipts			5,935.98

						90,924.20
Less Payments in the Year						<b>1231.27</b>
						<b>89,692.93</b>
Balances at Bank	Statement to	4th	Jun-21	NatWest		52,704.70
				Nationwide		14,150.58
				Cambridge and		22,963.65
				Counties		89,818.93
	Less Unpresented Cheques:-		184,185			126.00
						<b>89,692.93</b>

#### 11.6 – Control System for Online Banking

<b>Step 1</b>	<b>Where possible, continue to use cheques signed by two councillors</b>
<b>Step 2</b>	<b>Clerk must obtain the agreement of two Councillors, by email, prior to making an online payment</b>
<b>Step 3</b>	<b>Emails to be saved by the Clerk in a dedicated folder</b>
<b>Step 4</b>	<b>Clerk to submit list of online payments to each Parish Council Meeting to be noted as part of the agenda</b>
<b>Step 5</b>	<b>Chairman of Finance Committee to check all online payments on bank statements when signing the statement alongside bank reconciliation at council meetings</b>

#### Item 13 – Speed Indicator Device, KCC Site Visit Outcome

*Further to my previous email, I have now visited Grafty Green with another engineer to review the potential for a SID post.*

*During our initial visit in late 2018 we could not find suitable locations for a full SID scheme to progress. The only potentially suitable location we identified may be outside "Holly House" (opposite "Harpole") as the only*

position through this section with a clear line of site for the radar and driver. It was suggested that the aesthetic implications may outweigh the practicality and suitability of the device, although we would have envisaged concealing the 4m post behind the large tree at Holly House.

Further to our recent discussions regarding the potential of Boughton Malherbe “sharing” a SID with Lenham, I revisited this suggested location. It was noted that the frontage of Holly House has been redeveloped to a more open aspect and the tree removed, see attached photos. In addition the footways do not offer sufficient width to permit a post to be installed and retain an absolute minimum width of one metre for pedestrian access. There is also significant scarring from underground utility equipment, including water, BT and drainage. Therefore, my conclusion is that this location is no longer suitable for a SID pole, particularly as it would be directly in front of a property, which we would need to avoid.

I fully appreciate this is not the response that you wish to receive but assure you that we have looked extensively along this section for suitable sites. It is particularly difficult to find safe locations given the topography of the road, the open characteristic of the route and that one side of the carriageway is narrow verge. Whilst on site we noted a number of vehicles with limited regard to our presence and I would suggest that a SID will not have the desired effect.

This is now going to require you to have further discussions with Jennie Watson to determine what other measures could be introduced to address the issue.

Kind regards

Toby Butler

#### Item 14.2 – Quinn Donation Spend to date

Quinn Donation Spend to date		
Platts Heath School Donation	Donation for equipment	2500
MLM	Design Fees	6,150
Village Hall	Donation - village hall refurbishment	11307.39
KCC Highways	Design Fees	3819.00
KCC Highways	Traffic Calming Final Payment	19610.23
<b>TOTAL</b>		<b>43386.62</b>
<b>Remaining</b>		<b>56613.38</b>

#### Item 15 – GDPR

NALC Guidance on the 2018 Data Protection Act circulated separately. This confirms that holding personal information e.g. names, addresses and email addresses on a PC/lap top is covered by the Act and such information must not be shared without the consent of the data subject. A breach of this requirement could, potentially, lead to a fine. KALC have confirmed that parish councils are advised to use council specific email addresses - but this is not a requirement of the legislation. The aim is to help prevent breaches. KALC do advise that councillors might be individually liable if they

are found to have initiated a data breach and did not comply with the council's policy, their advice is as follows :

***Could an individual councillor who refused to comply with this policy as part of the PCs duty in discharging a statutory requirement.....rely on their S39 defence 1976 LG(MP)A (i.e. no personal financial liability if acting in good faith)?...one for the courts to test..... BUT an LC as a body corporate must ring fence itself in a corporate sense along with the vast majority of members and officer(s) who DO comply (therefore keep good records=evidence) of that discharge of a statutory duty. In effect, this ensures separation between those who can definitely rely on the defence and perhaps those who have wittingly gone against this...cannot...and your PC insurers may expect this approach/strategy...in effect accepting that you have vulnerabilities, have identified those and taken appropriate steps (and keep records=evidence of that). This MIGHT satisfy your DPO/insurance (and the courts where individuals have complied).However, it COULD leave those who will not exposed but that was their call of course.***

In summary, a policy to use council Email addresses is a means of reducing the risk of a breach leading to a fine. Councillors do have a personal choice however, but the current policy leaves those using their personal accounts more exposed. The council must therefore clarify its current policy if it is to mitigate this risk.