



Clerk to the Council: Sonia Hutchinson,

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**To Members of Kingmoor Parish Council**

11<sup>th</sup> January 2018

I am writing to invite you to attend the Parish Council Meeting which will take place on Thursday 18<sup>th</sup> January 2018 at Rockcliffe Community Centre at 7.30pm prompt.

Yours faithfully

*S Hutchinson*

Sonia Hutchinson, Clerk to the Parish Council

### **AGENDA**

**104. APOLOGIES FOR ABSENCE**

**105. DECLARATIONS OF INTEREST**

**106. REQUESTS FOR DISPENSATIONS**

**107. TO APPROVE MINUTES OF THE LAST MEETING**

**108. POLICE ISSUES**

1. To raise any matters with Nick Leigh, Police Community Support Officer 5374 who will be attending the meeting.
2. Police Report for Kingmoor Parish (from most recent data) and News update from the Carlisle North and North Rural Policing Team See attached.
3. Agenda item 814 – Speeding on Crindledyke traffic calming, – verbal update the Clerk.

**109. PROGRESS UPDATES**

1. Agenda item 973 – Footpaths new cycle way breaking up at junction of the cycle way and main road plus relocation of litter bin – verbal update Cllr. Bainbridge.
2. Agenda item 974 –Tipping at Cargo Hill Farm – verbal update by the Chairman and Clerk.
3. Agenda item 977 – Bus stops Parkhouse Road End – verbal update by the Clerk.
4. Agenda item 978 – Footpath at Crindledyke Close and bus stop Crindledyke Lane – verbal update by the Clerk.
5. Agenda item 14 – Maintenance of Playground – verbal update Cllr. Colville.
6. Agenda item 15 – Mobile phone coverage – verbal update Cllr. Bainbridge.
7. Agenda item 52 – Crindledyke Highways issues – verbal update the Clerk.
8. Agenda item 86 – Fencing Crindledyke Lane – verbal update Cllr. Colville and Cllr. Allison.



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9. Agenda item 87 – ROSPA Playground report – Verbal update the Chairman.

**110. PUBLIC PARTICIPATION**

**111. CLERK REPORT**

1. Notification of external auditor appointments for the 2017/18 financial year.
2. New Data Protection Regulations May 2018 and requirement to register with Information Commissioners Office (ICO)..  
To note attached Clerk report and approve registration with the ICO.

**112. HIGHWAYS ISSUES**

1. To note complaints notified to highways and waiting for a response. Please see attached Schedule.
2. Agenda item 859 cycle way from Cargo to CNDR roundabout. To consider the following recommendations from Cllr. Allison: -
  - That the parish council will donate £500 to the project,
  - That the parish council will agree to take on the development of the cycle way from Cargo to the CNDR roundabout as a parish council project.
  - That the parish council if they agree to take on the project will be accountable for the funding being raised.
3. Verbal update from the Clerk on owner of the field on the corner of the entrance to the village of Cargo.

**113. FINANCE**

1. INCOME

£907.12 HMRC VAT Reclaim  
£27.10 Electricity North West Wayleave

2. EXPENDITURE

<b>Cheque No.</b>	<b>Payee</b>	<b>Description</b>	<b>Amount £</b>
101160	Sonia Hutchinson	Salary Month 9 & 10	511.95
101161	HMRC	PAYE Month 9 & 10	128.00
101162	Cumbria Payroll Services	Payroll reports months 9 & 10	16.80
101163	Sonia Hutchinson	Expenses	59.91

To note Clerk Expenses are for land registry Title search - £35.94 and stationery 23.97.

3. CURRENT POSITION

Current balance in Community Account, including deduction of expenditure to be agreed at this council meeting, is £10,235.91

Current balance in 14 day Business Account £2,172.27

Total balance including 14 day business account is £12,408.18

Please note bank reconciliation as at 1<sup>st</sup> January 2018 (see attached).



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4. BUDGET AND PRECEPT 2018/2019 – To note that the request for a precept of £9,201 for the year ending 31.03.2019 has been submitted to Carlisle City Council.

#### **114. PLANNING**

##### **1. APPLICATIONS**

To note comments notified to planning please see attached Planning Working Group Schedule

##### **2. DECISIONS**

**Permission granted** Appn Ref: 17/0846 Display of 6 Flags, 3 Sales Sign Boards and Sales Hoarding, Location: Land at Greymoorthill, Kingstown Road, Kingstown, Carlisle.

**Permission granted** Appn Ref: 17/0945 Display of 4 Post Mounted Signs, Location: Land at Gearshill Road, Kingstown Road and Brunthill Road, Carlisle

3. PLANNING APPLICATION 1/16/9009 - shared footway / cycle way Kingmoor Road – verbal update from the Clerk.

**115. TREE ON APPEGARTH ESTATE** – Cllr. M. Dickson.

**116. STRAY PONIES IN STAINTON** – Cllr. M. Jones

**117. THE WAVERLEY VIADUCT** – Cllr. M. Jones

**118. COMMON LAND** – Cllr. G. Wade

**119. TREE PRESERVATION ORDER AT STAINTON** - Cllr. M. Jones

**120. PLAQUE FOR BENCH IN STAINTON** - Cllr. G. Wade

**121. CORRESPONDENCE RECEIVED BY THE CLERK**

Copies of all correspondence will be available at the meeting.

- a. Update from NALC on pay negotiations and SAAA Ltd  
The National Employers for Local Government Services has offered council employees a two-year pay increase from 2018 an uplift of 2 per cent on 1 April 2018 and a further 2 per cent on 1 April 2019.
- b. Press Release from NHS North Cumbria Clinical Commissioning Group - A handy NHS app for mobile phones allows parents and carers to access advice and information to help look after their children's health.
- c. CCC – Community Grants – applications have to be submitted by the end of January.
- d. CALC Newsletter December 2017 and January 2018.
- e. Police & Crime Commissioner – Council Tax consultation 2018 – 2019 request to complete a survey with regards to an increase in council tax to support police resourcing – closing date 19<sup>th</sup> January.



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- f. Highways England consultation on priorities between 2020 and 2025. The parish council has until the end of January to make a comment on the public consultation.
- g. Request from parishioner for a Grit Bin on the Crindledyke Estate – parishioner has already contacted CCC but wanted parish council support to take the matter forward.
- 8. NALC has been requested by the Lord Chamberlain's office to inform member councils that Her Majesty will be hosting a Royal Garden Party at Buckingham Palace on **31st May 2018** and Cumbria Association has been allocated **4** places. If you would like to nominate someone to attend the Royal Garden Party can you please complete the attached form and email it to the CALC office by **Tuesday 30<sup>th</sup> January**.

**122. DATE AND TIME OF NEXT MEETING-**

13<sup>th</sup> March 2018 at 7.30pm.



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## **Clerk Report January 2018**

### **1. Notification of external auditor appointments for the 2017/18 financial year.**

PKF-Littlejohn has been appointed as Cumbria's new auditors. In January and February they plan to contact everyone with an email newsletter (or two) explaining the key points of the change in the regime for 2017/18 and will send out the instructions regarding the 2017/18 Annual Governance and Accountability Return via an email in March. They have also confirmed that: -

A local council with both total gross income and total gross expenditure below £25,000 is eligible to choose to certify itself as exempt from their review by completing a one page form and returning it to them by the submission date set (via email or post).

Charges for councils with a turnover of over £25K and up to £100k will be £200

Charges for a council with a turnover of over £100k is £400

### **2. General Data Protection Regulations 2018**

#### **Introduction**

The new EU General Data Protection Regulations (GDPR) are effective from 25 May 2018. The Data Protection Act (DPA) 1998 is due to be repealed by 25 May 2018.

GDPR retains the existing legal principles of the Data Protection Act 1998 but updates it to take into account digital technology and current global working practices.

GDPR retains key definitions used in the Data Protection Act - eg

- Data Controller - this means the council in the context of local government
- Data Processor - responsible for processing data on behalf of the controller
- Personal data - any information that directly or indirectly identifies individuals

#### **Key Points**

##### **1. Data Controllers' Obligations i.e. Councils' Obligations**

###### Appoint a Data Protection Officer

Every public authority needs to appoint a DPO - they can be an employee or a contractor.

Possible options:

- Appoint a contractor to act as your DPO Working with CALC to ensure that Councils have access to reputable firms that understand the sector ("trusted suppliers")
- Wait for guidance from NALC who are looking to see if it may be cost effective to work with a supplier to provide a national service which Councils can access, delivering economies of scale.

Issue privacy notices where appropriate



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Fair processing of personal data involves transparency and providing information - in the form of a privacy notice eg when asking residents of the parish for personal information in a survey etc. These notices need to be more detailed than under the DPA.

Information that must be provided by the council (data controller) must be:

- concise, easily understood and transparent
- written in clear and plain language
- free of charge

#### Report breaches

Councils must put in place comprehensive and proportionate governance measures to prevent breaches of data.

#### Work with data processors

If councils work with companies that process data on their behalf there must be a clear and robust contract in place to clearly define the responsibilities of the processor to protect the data.

## **2. Preparing for the General Data Protection Regulations (GDPR) Checklist from the ICO website 12 steps to take now**

1. Awareness - talk to your council about the coming changes to the law and the impact it may have.
2. Information your council holds - document what personal data your council holds, where it came from and who you share it with, this may be called an information audit.
3. Privacy Information - review your current privacy notices (i.e. what you explain when you ask the public for personal information i.e. names, emails, addresses, photos)
4. Individual's rights - check your council's procedures to ensure that they cover all the rights that individuals have, including policies for deleting personal data.
5. Update your procedures for answering subject access requests within the new timescales (1 month not 40 days).
6. You should identify the lawful basis for processing personal data.
7. Consent - review how you seek, record and manage consent. Remember under GDPR consent must be freely given, specific, informed and unambiguous. There must be a positive opt-in
8. Review how you obtain consent from children
9. Data Breaches - make sure you have the right systems in place to report and investigate personal data breaches.



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10. Data Protection by design - this is now a legal requirement and may require a Privacy Impact Assessment under certain circumstances. This is unlikely to affect the majority of parish councils as it concerns organisations keeping a range of data on individuals.

11. Data Protection Officer - designate/appoint someone to take responsibility for data protection compliance. **NALC have suggested that this charge may be in the region of £200 to £350 per annum.**

12. Register with Information Commissioners Office (ICO). **There is a charge of £35 for registration.**

**Recommendation** – To note contents of the report, await further guidance regarding the appointment of the DPO and approve registration with the ICO.



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**Kingmoor Parish Council Highways complaint schedule January 2018**

Complaints raised with Highways department

Reference number	Description	Current position
W171441573	Crindledyke Close – unmade footpath and strip between footpath and road	Unresolved – awaiting further update form Gareth Scott.
W171450580	All of the rainwater drain covers along this stretch of road (Cargo to CNDR roundabout) are well below the road surface and are often impossible to avoid when driving due to the number of wood lorries, other large vehicles and farm vehicles regularly using this route. The road surface was improved and raised at the time of the bypass construction but there was no attempt to bring the drain covers up to the new level.	Unresolved – update has been passed to the relevant team for consideration.
W171450579	Viewing access when exiting Cargo onto this road is restricted on both sides due to overgrowing vegetation and hedges. Can this be addressed.	Resolved
W171450550	There are a number of gullies along this stretch of the C1016 near Cargo which are below the level of the road.	Resolved





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	This appears to be due to the road being resurfaced raising its level above that of the gullies. Please initiate an inspection of the gullies along that straight for repair as appropriate.	
W171451434	On the footpath leading into Applegarth Estate in Cargo post code location CA6 4AS the roots of a tree are lifting and breaking the pavement and now that the dark nights are here it is difficult for residents to see the hazard in the dark. Can something be done to resolve the matter of the pavement lifting?	Have assessed to ensure that it does not pose a risk to the public the fault will be monitored and resolved as part of future planned maintenance.
W172930771	Request for road markings - Crindledyke	Has been passed to relevant team for consideration.
W182934802	Large pothole at entrance to the road leading into village of Cargo.	One of our experienced team will be out to take a look as soon as possible- awaiting assessment.
W182934808	Smaller potholes on road leading into Cargo from the junction to the bus shelter.	One of our experienced team will be out to take a look as soon as possible- awaiting assessment.
No ref number supplied	Signage on entrance to village of Stainton.	Have passed on the damaged triangle to the relevant team. Regarding the no through road signage, we believe the signage provided is adequate for that location. However, if you could provide further information as to the frequency of drivers ignoring the signs and if possible the reason they are continuing in to Stainton. Has anyone spoken to any of the drivers to ask why?



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<b>BANK RECONCILIATION AT 09 JANUARY 2018</b>					
				<b>Bank Balance</b>	<b>Total</b>
<b>Opening Balance Comm. Acc.at 1/4/2017</b>				<b>10897.38</b>	
<b>Opening Balance Business Acc. 1/4/2017</b>				<b>2171.60</b>	
	<b>Receipts</b>	<b>10475.01</b>	<b>Payments</b>	<b>£ 11,136.48</b>	
	<b>Interest</b>	<b>0.67</b>			
<b>Current Balance @09/01/2018</b>					
Barclays	All Bank Accounts			£ 13,124.84	
	<i>Community Account</i>		£ 10,952.57		
	<i>Business 14 Day Account</i>		£ 2,172.27		
Deduct unrepresented cheques Current Account				£ 716.66	
		101160	511.95		
		101161	128.00		
		101162	16.80		
		101163	59.91		
<b>Adjusted balance</b>					<b>£ 12,408.18</b>
<b>Closing Balance Community Account after cheque deduction</b>				£ 10,235.91	
<b>Closing Balance 14 day account</b>				£ 2,172.27	



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### Planning Working Group Comment Schedule

The following schedule outlines the comments agreed at the meetings of the Planning Working Group which have taken place between 16<sup>th</sup> November 2017 and 18<sup>th</sup> January Parish Council meetings.

<u>Ref. No.</u>	<u>Description</u>	<u>Comments</u>	<u>Date Planning Group met</u>	<u>Initials of Cllrs.</u>	<u>Date to City Council</u>
Scoping opinion 2017 Kingmoor Park	Changes to the profiles of the ERF roof to extend towards rear (west) over fuel processing hall, Changes in air cooled condenser; removal of approved 2 no silos for storage and prepared fuel; Removal of shredding process within the former fuel processing area; Removal of material pre-treatment process; Provision of an internal engineered waste bunker; Minor changes to car parking area; Change from original 22MW gasification thermal treatment plant to 25MW moving grate combustion plant and change to annual throughput from 195,000 tonnes to 250,000 tonnes. Location – land between Kingmoor Park Road and Kings Drive, Kingmoor Park, Carlisle, Cumbria	<ol style="list-style-type: none"> <li>1. The Council feels that it needs a new planning application to inform the general public of the changes from a gasification plant to an incineration plant and to give the public the right to respond.</li> <li>2. The transport assessment is for bulk tipper carrying 28 tons at a time. This plant could take household waste i.e. bin wagons, these do not carry 28 tons. So does it need a new transport assessment?</li> <li>3. Is an incineration plant the kind of development that is going to attract new industry to the prime development land alongside Carlisle City Bypass? Or should an alternative site be found? One such site is Hespian Wood.</li> </ol>	08/12/17	RG, JR	11/12/17
17/1028	Erection of 71no dwellings at land to the north of Kingmoor Industrial Estate, Kingmoor Road, Carlisle	<ol style="list-style-type: none"> <li>1. Provision of the footpath needs to be written in the 106.</li> <li>2. Clarification of the entrances – are there 2 or 3? Taylor Hardy states in the planning statement</li> </ol>	08/12/17	RG, JR	11/12/17



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		29/11/17 page 11, that the access is 3 new vehicle accesses on the plans there are only 2.			
17/1067	Construction of Haulage Yard, Offices, Servicing Facilities and associated infrastructure. Location Plot C Dukes Drive Kingmoor Park North, Carlisle	We would like to see some soft landscaping.	28/12/17	RG, JR	29/12/17
17/1036	Erection Of Two Storey Side Extension To Provide Kitchen/Dining Room On Ground Floor With 1no. Bedroom Above Together With Replacement Of Conservatory To Rear With A Single Storey Extension. Location 3 Edenside, Cargo, Carlisle, CA6 4AQ	No Comment	28/12/17	RG, JR	29/12/17
17/1041	Erection Of 2 Storey Side And Rear Extensions to provide Kitchen & Living Room on Ground Floor with 1 Bedroom & Bathroom Above; Erection Of Oak Framed Car Port & Porch Canopy. Hazelrigg, Cargo, Carlisle		28/12/17	RG, JR	29/12/17
17/1052	Erection of Warehouse Extension Location Thomas Graham Ltd, Spellar Way, Kingmoor Park East Carlisle CA6 4SQ	No Comment	28/12/17	RG, JR	29/12/17