

LYNDHURST PARISH COUNCIL

No 13 High Street
Lyndhurst SO43 7BB
Tel: 023 8028 4928 and 023 8081 3218
Email: clerk@lyndhurst-pc.gov.uk
Website: www.lyndhurst-pc.gov.uk



NOTICE OF MEETING OF THE PARISH COUNCIL

I hereby give you notice that the Annual Meeting of the Parish Council will be held at Lyndhurst Community Centre on **Tuesday, 11 May 2021 at 7.00 pm.**

All members of the Council are hereby summoned to attend for the purpose of considering and resolving upon the business to be transacted at the meeting as set out hereunder.

Clerk to the Council

Please note that this is the first meeting of the Council year and Council members are required by law to ratify Council policies and procedures. Therefore no public session item has been allotted. If any member of the public wishes to raise an issue with the Council, please advise the Clerk by 5.00 pm on Friday, 7 May 2021 or attend the next Parish Council meeting immediately following this meeting.

A G E N D A

- (1) Apologies for Absence
- (2) Election of Chairman and for Chairman to confirm acceptance of office
- (3) Election of Vice Chairman and for Vice Chairman to confirm acceptance of office
- (4) To confirm acceptance of office for two new Councillors
- (5) Disclosures of Interest
- (6) Apologies for Absence
- (7) Appointment of Committees and confirmation of terms of reference
 - (a) Planning Committee
 - (b) Disciplinary and Grievance Committee
- (8) Appointment of Portfolio Holders
 - (a) Cemetery
 - (b) Allotments
 - (c) Recreation
 - (d) Amenities
 - (e) Neighbourhood Watch
 - (f) Environment Matters

- (g) Youth Matters
- (h) Community Engagement
- (i) Community Speedwatch

(9) Appointment of Representatives to Outside Bodies

- (a) New Forest Consultative Panel
- (b) NFNPA Quadrant Meetings
- (c) Village Decorations Committee
- (d) Public Transport
- (e) Village Twinning Committee
- (f) NFALC
- (g) Chamber of Trade
- (h) Lyndhurst Welfare Charity
- (i) Royal British Legion Lyndhurst Branch
- (j) Lyndhurst – Minstead Traffic Management Working Group

(10) Review/Adoption of Standing Orders and Financial Regulations

(11) Review/Authorisation of Governance Documents as listed below:

- (a) Acceptable Internet Use Policy
- (b) Tree Management Policy
- (c) CCTV Policy

(12) Review of Asset Register

(13) To appoint an Internal Auditor for the financial year 2021/22

(14) Setting of dates, times and place of ordinary meetings of the full Council for the next year

LPC STANDING ORDERS

<https://www.lyndhurst-pc.gov.uk/wp-content/uploads/2020/09/Standing-Orders-Draft-January-2020.pdf>

LPC FINANCIAL REGULATIONS

<https://www.lyndhurst-pc.gov.uk/wp-content/uploads/2021/05/Financial-Regulations-2020-21.pdf>

POLICY FOR ACCEPTABLE USE OF COMPUTERS, TABLETS, EMAIL AND THE INTERNET BY COUNCILLORS AND EMPLOYEES

1 Introduction

- 1.1 Use of tablet devices and dedicated email accounts will enable councillors to access information on the move, take advantage of Wi-Fi and contribute to the reduction in paper and printing costs
- 1.2 Under the Data Protection Act 2018 it is important that Lyndhurst Parish Council ensures that its data is kept secure. Councillors are required to comply with this Policy.
- 1.3 Please note that additional instructions may be issued from time to time regarding the use of Council-owned computers or systems.
- 1.4 This policy sets out general rules for the acceptable use of digital systems
 - How we use the facilities made available to us reflects on the Council.
 - Reminds us of our responsibilities to handle personal and sensitive information properly and that customers'/constituents' e-mail addresses themselves may be personal information
 - To consider before sending confidential or sensitive information via email
 - Describes how and when personal use of e-mail and internet is permissible
 - Requires us to remove personal e-mail from the council's systems
 - Prohibits the use of Council e-mail addresses on public websites for non-business purposes
 - Sets out the circumstances in which the council may monitor communications.

2 IT Devices

- 2.1 The tablet passcode is an important piece of confidential information and should be treated as such. Councillors must not share it with unauthorised persons and must make sure that it is not written down anywhere where an unauthorised person can find it.
- 2.2 Councillors must not delete any of the tablet software installed and must not install any software without permission from the Clerk. This ruling does not apply to apps available from the Apple store.
- 2.3 Councillors must take care of the tablet and ensure that it is safe and secure at all times. Any loss of the equipment must be reported immediately.

3 Email

- 3.1 All email correspondence should be dealt with professionally and diligently. Emails are subject to the Data Protection Act 2018 and Freedom of Information requests.
- 3.2 Councillors should be mindful that, when using their Council email account, any email sent will be identifiable as coming from the Council. Councillors should therefore take care not to send anything via email that may reflect badly on the Council. In particular, they must not send content of a sexual or racist nature, junk mail, chain letters or any offensive materials from their Council email address.
- 3.3 Using a Council email address to send inappropriate material, including content of a sexual or racist nature, is strictly prohibited. Should Councillors receive any offensive or inappropriate content via email they should delete it. Councillors should inform the Clerk of this as soon as possible.

- 3.4 Councillors should also take care that emails are seen only by the person intended. Particular care should be taken when sending confidential information that the email has been correctly addressed, marked “private” and not copied to those not authorised to see the information. Sending confidential information via email without proper authorisation or without taking sufficient care to ensure that it is properly protected will be treated as misconduct.
- 3.5 In cases where Councillors are sending an email to more than one personal account they should blind copy all recipients to avoid a data breach.
- 3.6 While a reasonable amount of personal use of email is perfectly acceptable, Council emails remain the property of the Council and Councillors should not use Council email to send or receive any information that they regard as private. The Council may, in the course of its operation, read emails that Councillors have sent or received - although in the absence of evidence of wrongdoing the Council will avoid taking this action.

4 Internet Use

- 4.1 Councillors accessing the internet on Council-owned devices should do so responsibly.
- 4.2 Councillors must not use the internet to view or download offensive or sexually explicit material.
- 4.3 Councillors must not use Council-owned devices to download music, video or any other entertainment content.
- 4.4 Firewalls and anti-virus software may be used to protect the Council’s systems. These must not be disabled or switched off without the express authorisation of the Clerk.

5 Social Media

- 5.1 Councillors’ behaviour on any social networking or other internet site must be consistent with the behaviour required of being a representative of the Council generally.
- 5.2 Councillors should take particular care not to behave in a way which reflects badly on the Council. Inappropriate or disparaging comments about the Council, colleagues or the Parish should be avoided.
- 5.3 Social media interactions can be copied and widely disseminated in a way that people are unlikely to be able to control. The Council will take a particularly serious view of any misconduct that occurs through the use of social media.
- 5.4 Councillors should not operate a social media account or profile that purports to be operated on or on behalf of the Council without express permission of the Council.

6 Personal / Business Use

- 6.1 The Council’s communications facilities are provided for the purposes of Council business. A certain amount of limited and responsible personal use by users is also permitted.
- 6.2 Although the Council’s e-mail facilities are provided for the purposes of Council business, Councillors may occasionally want to use them for their own personal purposes. This is permitted on the condition that all the procedures and rules set out in this policy are complied with. Councillors should, however, be aware, that if they choose to make use of Council facilities for personal correspondence, they can expect very little privacy because the Council may need to monitor communications.
- 6.3 Under no circumstances may the Council’s facilities be used in connection with the operation or management of any other business or for commercial activity. The facilities should also not be

used by Councillors for general party-political activity and, in particular must not be used for campaigning or election activities. They may, however, be used for correspondence within the political group, general political research, casework as a councillor and similar activities. If you have any doubts, please ask.

6.4 Councillors must also ensure that personal e-mail use:

- does not take priority over their responsibilities as a Councillor;
- is minimal;
- does not cause unwarranted expense or liability to be incurred by the Council;
- does not have a negative impact on the Council in any way; and
- is lawful and complies with this policy.

6.5 After being read, personal e-mail should be either deleted or forwarded to a personal e-mail account and then deleted.

6.6 If Councillors make personal use of Council facilities for sending and receiving e-mail they will be treated as having agreed to abide by the conditions imposed for their use and consented to the Council monitoring personal e-mail in accordance with this policy. Councillors who do not agree or consent to this must not use the system to send or receive personal e-mail.

7 Breaches of this Policy

7.1 If Council rules and procedures are not followed, then use of Council facilities may be curtailed or withdrawn. Serious breaches of this policy may amount to a breach of the Code of Conduct and the withdrawal of permission to use Council equipment for personal purposes.

7.2 Some aspects of this policy also deal with matters which amount to criminal offences under the Computer Misuse Act.

7.3 Councillors should ask the Clerk for clarification if there is anything in this policy that they do not understand.

8 Review

8.1 This policy will be reviewed every four years unless changes in legislation dictate otherwise.

USER AGREEMENT

I have received a copy of the following Lyndhurst Parish Council documents.

- Councillors e-mail, internet and tablet acceptable use policy

I understand that the Council's Information and Communications Technology (ICT) systems and associated equipment are to be used for conducting council business or for personal use only as stated in the policy documents.

I have read the policy documents and agree to abide by all the terms and conditions set out in the documents for the duration association with the council.

I am aware that the Council may, where it considers it to have reasonable grounds to do so, and without notice to me, monitor or examine all or any telephone, e-mail or internet traffic and documents or files initiated, manipulated, stored, responded to or examined by me.

I am aware that violations of the policies may amount to a breach of the Code of Conduct. I understand that I may be personally liable for any criminal offence, which I may commit in relation to these policies.

I will take care of my tablet and bring to meetings in a charged and useable condition.

I further understand that my internet usage and e-mail communications must at all times reflect the good name and character of Lyndhurst Parish Council.

I understand that the policies and this document may be amended at any time and that I will be informed of changes in the manner described in the policy.

I accept that I am responsible for ensuring my personal knowledge and understanding of any change to the policy.

Signature

Date.....

Printed name

Tree Management Policy

1 Introduction

- 1.1 This policy sets out Lyndhurst Parish Council's approach to the management of trees on land it owns or leases, namely:
- Coles Mead Recreation Ground and the Lyndhurst Football Club ground
 - Great Mead
 - Bolton's Bench Cemetery
 - Lyndhurst Allotment Gardens
- 1.2 Other councils, organisations, companies and private individuals may need to be contacted if a tree(s) is located on their land.
- 1.3 If a tree falls and causes injury or damage, the relevant landowner could be held negligent if they have failed to take sufficient care of the tree. Therefore, as a landowner, the Council has a duty of care to ensure that all trees on Parish Council-owned or leased land are kept in an acceptable condition and do not put people or property at unreasonable risk.

2 Inspection

- 2.1 All trees on Council-owned/leased land will be inspected annually by a qualified tree inspector and any recommendations made will be considered by the Council in line with this policy.

3 Maintenance

- 3.1 The Council will adopt a proactive approach to tree maintenance. However, only essential/ minimal works will be undertaken in order to manage a tree because the Council supports a policy of tree preservation. The type of works undertaken will depend on the tree's location, the species of tree and its state of health at that time.
- 3.2 Regular inspections will be carried out to identify issues at the earliest juncture, so that preventive action can be taken where possible. Areas close to roads, buildings and with high public usage will be prioritised
- 3.3 As a guide, tree works will be undertaken in the following circumstances:
- Where an inspection has identified the tree as potentially hazardous or an immediate danger.
 - If the works are vital to the tree's long-term survival. Dead, dying or diseased trees will be fully removed only when there is no other option, or when the risk of a later removal would be a health and safety issue.
 - To abate an actionable nuisance where branches are touching buildings e.g. physical contact with walls, windows, gutters.
 - When previous maintenance regimes have determined future works are of the same specification for that specimen e.g. pollarding, crown reduction.
- 3.4 The impact on local wildlife of all tree works, specifically felling and pruning, will always be thoroughly considered, with the impact minimised where possible.
- 3.5 Routine, scheduled tree works will be carried out, wherever possible, outside the bird nesting season (February-July). Where works must be carried out between February and July, then thorough checks will take place to ascertain that no birds are nesting in that vicinity.
- 3.6 Where appropriate, dead and fallen wood will be left on site unless there are sound conservation and safety reasons for its removal.
- 3.7 All tree work will be carried out by a qualified tree surgeon appointed by the Parish Council and in accordance with BS/3998/2010 Recommendations for Tree Work 2010 (and any subsequent revisions).

All works must have Parish Council approval and must be carried out by the Parish Council's appointed Tree Surgeon based on their professional advice.

- 3.8 When a tree must be felled, wherever possible at least two or more replacement tree(s) should be planted either adjacent to the original, or at another location on Parish Council owned/leased land and with appropriate permissions sought.

4 Protected Trees

- 4.1 A Tree Preservation Order (TPO) prevents cutting down, uprooting, topping, lopping, wilful damage or destruction of trees (including cutting roots) without permission.
- 4.2 It is an offence to cut down, lop, top, uproot or wilfully damage or destroy a tree in a Conservation Area without giving prior written notice to the New Forest National Park Authority (NFNPA).
- 4.3 Additional approval will be obtained from the Tree Officer at NFNPA for trees on which there is a TPO.

5 Requests for Tree Work

- 5.1 Whilst the Council will consider the impact of trees in each case on individual merit, the Council will not fell or prune trees on Parish Council-owned or leased land if it is for any of the following non-arboricultural reasons:
- Solely to alleviate problems caused by natural and/or seasonal phenomena e.g. falling leaves, fruit, seeds/berries, bird droppings, pollen etc.
 - Solely for reasons of increasing sunlight/views to properties and gardens.
 - Solely for the reason that the tree(s) is/are causing interference with television or satellite reception. In most cases the problem can be resolved by relocating the aerial or satellite dish. Residents are advised to contact their satellite or TV provider for specialist advice. Removal or pruning to enable clear television reception would only be considered in exceptional circumstances.
- 5.2 Adjacent landowners have a common law right to prune back tree branches to their boundary, providing that would not lead to tree death and providing the tree in question is not protected by a TPO or situated within a Conservation Area.
- 5.3 Tree roots in gardens are a natural occurrence and root presence is unlikely to be affected by tree pruning or removal. Tree felling and branch pruning in response to root invasion in gardens would not normally be appropriate as such works are likely to worsen the problem. The encroachment of roots into adjoining land is not considered to amount to actionable nuisance.
- 5.4 Landowners are reminded that if access to Council-owned or leased land is required to carry out pruning they will require written permission from the Parish Council before carrying out such works.
- 5.5 The Parish Council will consider formal applications for tree works on its land, but these must be in writing, either by letter or email to the Parish Clerk.

LYNDHURST PARISH COUNCIL

CCTV POLICY STATEMENT

1 Owner

1.1 The system is owned by:

Lyndhurst Parish Council, 13 High Street, Lyndhurst, Hampshire SO43 7BB

2.1 The Parish Clerk is responsible for the operation of the system and for ensuring compliance with this policy. The Parish Clerk may be contacted as follows:

Phone: 023 8028 4928

Email: clerk@lyndhurst-pc.gov.uk

2 Locations

2.1 The Council has installed CCTV cameras:

- In its office at 13 High Street
- At Coles Mead Recreation Ground, Wellands Road
- At Bolton's Bench Cemetery

3 Data Protection Act 1998

3.1 CCTV digital images, if they show a recognisable person, are personal data and are covered by the Data Protection Act 1998. This Policy is associated with the Parish Council's Data Protection Policy, the provisions of which will be adhered to at all times.

3.2 The Clerk is the Parish Council's Data Protection Officer and is responsible for the Council's Data Protection Policy.

3.3 The Council has adopted the 12 guiding principles of the CCTV code of practice issued by the OCO as at Appendix 1.

3.4 Signs will be prominently placed to inform members of the public that a CCTV installation is in use.

3.5 Training in the requirements of the Data Protection Act 1998 will be organised as necessary by the Clerk.

4 Purpose of the system

4.1 The system has been installed by Lyndhurst Parish Council with the primary purpose of reducing the threat of crime and anti social behaviour generally and protecting the Council's premises. These purposes will be achieved by monitoring the system to:

- Deter those having criminal intent
- Assist in the prevention and detection of crime
- Facilitate the identification, apprehension and prosecution of offenders in relation to crime and public order
- Facilitate the identification of any activities/event which might warrant

4.2 Although every effort has been made to ensure maximum effectiveness of the system it is not possible to guarantee that the system will detect every incident taking place within the area of coverage.

4.3 The system will not be used:

- To provide recorded images for the world-wide-web.
- To record sound other than in accordance with the policy on covert recording.
- For any automated decision taking

5 Security of the information gathered

5.1 Images captured by the system will be viewed only if an incident has been reported.

5.2 No unauthorised access to the data will be permitted at any time. Access will be strictly limited to the Clerk, the Chairman and police officers and any other person with statutory powers of entry.

5.3 The Coles Mead digital recorder will be stored in a locked box fixed to the wall in the Junior Football Club changing rooms.

5.4 The Cemetery digital recorder will be stored in a locked box fixed to the wall inside St Margaret's Chapel.

5.5 The office digital recorder will be stored in a locked box fixed to the wall inside the Parish Office.

6 Recording

6.1 No covert recording will be undertaken.

6.2 Images will normally be retained for fourteen days from the date of recording, and then automatically over written. Once a hard drive has reached the end of its use it will be destroyed prior to disposal.

6.3 All hard drives and recorders shall remain the property of the Council until disposal and destruction.

7 Access to images

7.1 All access to images will be recorded in the Access Log. See Appendix 2.

7.2 Disclosure of recorded material will be made to third parties in strict accordance with the purposes of the system and is limited to the following authorities:

- Law enforcement agencies where images recorded would assist in a criminal enquiry and/or the prevention of terrorism and disorder
- Prosecution agencies
- Relevant legal representatives
- The media where the assistance of the general public is required in the identification of a victim of crime or the identification of a perpetrator of a crime
- People whose images have been recorded and retained unless disclosure to the individual would prejudice criminal enquiries or criminal proceedings.
- Emergency services in connection with the investigation of an accident.

8 Access to images by a subject

8.1 CCTV digital images, if they show a recognisable person, are personal data and are covered by the Data Protection Act. 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.

- 8.2 A person whose image has been recorded and retained and who wishes access to the data must apply in writing to the Data Protection Officer. Subject Access Request Forms are available online.
- 8.3 The Data Protection Officer will then arrange for a copy of the data to be made and given to the applicant. The applicant must not ask another member of staff to show them the data, or ask anyone else for a copy of the data. All communications must go through the Data Protection Officer. A response will be provided promptly and in any event within forty days of receiving the required fee and information.
- 8.4 The Data Protection Act gives the Data Protection Officer the right to refuse a request for a copy of the data particularly where such access could prejudice the prevention or detection of crime or the apprehension or prosecution of offenders. If it is decided that a data subject access request is to be refused, the reasons will be fully documented and the data subject informed in writing, stating the reasons.

9 Request to prevent processing

- 9.1 An individual has the right to request a prevention of processing where this is likely to cause substantial and unwarranted damage or distress to that or another individual.
- 9.2 All such requests should be addressed in the first instance to the Data Protection Officer, who will provide a written response within 21 days of receiving the request setting out their decision on the request. A copy of the request and response will be retained.

10 Complaints

- 10.1 It is recognised that others may have concerns or complaints about the operation of the system. Any complaint should be addressed in the first instance to the Clerk. The complaints procedure can be found online. In addition, concerns or enquiries relating to the provisions of the Data Protection Act 1998 may be addressed to the Clerk. These rights do not alter the existing rights of others under any relevant grievance or disciplinary procedures.

11 Compliance monitoring

- 11.1 The contact point for members of the public wishing to enquire about the system will be the Clerk whose contact details are provided in Section 1 of this Policy.

12 Upon request enquirers will be provided with:

- A summary of this statement of policy
- An access request form if required or requested
- A subject access request form if required or requested
- A copy of the Council's complaints procedures

13 Review and Monitoring

- 13.1 All documented procedures will be kept under review and a report periodically made to the Council.
- 13.2 The effectiveness of the system in meeting its purposes will be kept under review and reports submitted as required to the Council.