

Extraordinary Meeting Minutes

WINTERBORNE ST MARTIN PARISH COUNCIL

Thursday 11th August 2022 -at 7.00pm- at Winterborne St Martin Parish Church

An extraordinary meeting has been called by The Chair within 7 days of the request of two councillors.

5 members of the public were present.

Councillors: Mark Pemberton (MP) (chair), Andy Daw (AD), Karen Delafield (KD), Dave Read (DR), Martin Usherwood (MU), Deborah Follett (DF) and Richard Eversden (RE)

The meeting was recorded to aid the Clerk in note taking.

To receive and accept apologies and declarations of interest.

No apologies. Cllr Delafield registered an interest.

Democratic Forum, 3 mins per speaker on Agenda items only.

None.

11/8 – 1 Chairman's statement

Some of you may have noted that the Agenda for tonight's meeting changed three times as we have tried to find a pragmatic and lawful way of moving ahead with an issue concerning Information Management – at its base we have a historical request for information to deal with.

Even now we have not been able to cross every t and dot every I of every rule, but I do believe that we are offering a reasonable compromise between due warning of the meeting to Councillors and Parishioners, the Data Protection Act, and hitting timelines required by the outstanding business and the request submitted by two Councillors to deal with this by an Extraordinary Meeting. I have therefore chosen to call this meeting in my own name.

The substantive nature of what we are trying to achieve has not changed – but our approach has moved from specifics to agreeing principles which allow us to deal with the outstanding matters in an entirely technical way thereafter. This is why the language on the Agenda may appear so muddied. In practical effect, if the motion is passed the Proper Officer of the Council, our Clerk, supported by Councillors, will be empowered to begin the process of responding to the historic request for information, and we will have in place a process which is automatic from this point forwards.

The meeting will remain open to the public unless sensitive personal matters are raised, in which case the Council will have to vote on whether it should become closed.

I believe that I have advertised the meeting as widely as reasonably possible and stated my willingness to cancel the meeting and start the calling process again if I received any

objection to it going ahead. This willingness will apply until the end of this Agenda Item. Should we postpone, this would place us outside other regulations and might put us at risk of Information Commissioner fines or even Court Action. If we were fined, or required legal support, this would in my opinion be Parish money wasted.

Additionally, I wish to state that I received advanced notice of Cllr Delafield's declaration relating to her interest in tonight's Agenda. I fully support her continued participation in the given Agenda, and I can give this support confidently having completed my training on Councillor Conduct this Tuesday. Thus, in terms of the technical content of the Agenda Cllr Delafield retains full rights to participate in debate and vote, but if we wander into the specifics covered in her declaration she will not be permitted to vote, and the Council must determine whether she can remain to witness or participate in any debate held in what would inevitably be closed session.

Does anyone present object to us continuing with this meeting?

No objections were recorded.

11/8 – 2 To consider how the Council has, and will, address private Subject Access Requests submitted under the Data Protection Action 2018 and gain understanding.

The council agreed to follow the council's current policy which follows the NALC guidelines and has not been superseded.

11/8 – 3 Motion

Proposed motion: The Council and all Councillors comply with the Information Commissioners guidance in responding to current and future requests.

Proposed Cllr Follett, seconded Cllr Daw. Approved 7/7

It was agreed given Cllr Follett's previous experience she would support the Clerk in complying with the current SAR request.

Should any information pertain to Cllr. Follett then the chairman Cllr Pemberton would support the Clerk in this instance.

Approved 7/7

The Chairman, Cllr. Pemberton will confirm the SAR search criteria. It was suggested the PC emails should be searched first.

Cllr Read asked "How did we get to this stage". The chairman stated that to discuss this would require a closed session and the council was asked if they wanted to go to a closed session, response was no.

Meeting ended 7.15pm

Signed by The Chair, Mark Pemberton

Website: www.winterbornestmartin-pc.gov.uk Email: clerk@winterbornestmartin-pc.gov.uk