

LAVENHAM PARISH COUNCIL

Notice of Annual Meeting of the Parish Council

Dear Sir/Madam,

I hereby give you notice that the ANNUAL MEETING of the PARISH COUNCIL of the above-named Parish will be held on THURSDAY the 5th day of MAY 2022, at 7.30 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.

Signed



Clerk

BUSINESS TO BE TRANSACTED

1. **To Elect a Chairman**
2. **To Elect a Vice-Chairman**
3. **Public Forum**
4. To receive apologies for absence
5. County Councillor's Report
6. District Councillor's Report
7. To confirm the minutes of the previous meeting **Motion to approve**
8. Declarations of Interest
9. Update on vacancies on the Parish Council
10. Matters arising and update of outstanding issues
11. Motions proposed:
 - a. **Motion to vote on options for Water Street Car Park regulations**
 - b. **Motion to approve Employee Polices including Annual Appraisal Policy**
 - c. **Motion to approve Data Protection Policy**
12. Planning
Planning matters, to include applications received and decided (*see separate list*)
To receive residents' correspondence regarding the Lavenham Press site application
Motion to vote on response to residents and communication with Babergh planning
13. Finance and Strategy
Invoices received/cheques for signature **Motion to approve**
Income and Expenditure report for April 2022
14. Updates
 - a. Lavenham Neighbourhood Development Plan Review Group report
 - b. Gas Works site
 - c. Prentice Street toilets: update and report on Electricity Metering
 - d. Operations Working Group – Facilities – report, including update to Church Street toilets issues
 - e. Operations Working Group – Open Spaces – report
 - f. Traffic Working Party update

continued ..

- g. Queen's Platinum Jubilee Working Group update
- h. Communications Working Group – review progress

To receive and note reports 9a to 9h

- 15. Correspondence
- 16. Programme of meetings and date of next meeting.
**Date of Annual Parish Meeting: Wednesday 25th May 2022, 7.30 pm
in Lavenham Village Hall
Meeting scheduled for Thursday 2nd June will now take place on Thursday 9th June.**
- 17. Matters to be brought to the attention of the Parish Council

Part 2 Closed Session of the Council – Public will be asked to leave the meeting.

- 1. EV charging.
- 2. Organisation of the Council

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Agenda item 12 Planning Applications for consideration

Lavenham Parish Council Planning Group.

Planning Applications for consideration at LPC meeting on 5th May 2022

DC/22/01764 - 1 Granary Cottages , Prentice Street, Lavenham, Suffolk CO10 9RE

Householder Application - Erection of single storey extension (following part demolition of existing conservatory).

DC/22/01822 - 42 Water Street, Lavenham, Suffolk, CO10 9RN

Notification of works to trees in a Conservation Area - Reduce 1No. Sweet Cherry (T1) by up to 1.5m all round.

DC/22/01821 - 21 High Street, Lavenham, Suffolk, CO10 9PT

Notification of Works to Trees in a Conservation Area - Reduce 1No Hawthorn (T1) by up to 1.5m all round. Reduce 1No maple (T2) by up to 1.5m all round

DC/22/01882 - 14 Shilling Street, Lavenham, Suffolk, CO10 9RH

Householder Application- Erection of garage, construction of new drive and replacement of front gates

DC/22/01904 - 14 Shilling Street, Lavenham, Suffolk, CO10 9RH

Application for Listed Building Consent - Erection of garage, construction of new drive and replacement of front gates

DC/22/02032 - 10 Bolton Street, Lavenham, Sudbury, Suffolk CO10 9RG

Notification of Works to Trees in a Conservation Area - Fell 10No. Conifer Trees. Fell 1No. laurel Bush. Fell 1No. Hawthorne Bush.

DC/22/02100 - Howlett Of Lavenham, Sudbury Road, Lavenham, Suffolk

Application under S73 for Removal or Variation of a Condition following grant of Planning Permission DC/20/05776 dated 07/05/2021- Erection of replacement commercial garage building (following demolition of existing building). Erection of 5no. dwellings and construction of 2no. vehicular accesses. Town and Country Planning Act 1990 - To vary Condition 2 (Approved Plans and Documents), Condition 7 (Access Visibility Splays) and Condition 10 (Parking and Turning) The external appearance of the workshop and dwellings has been revised.

Agenda Item 8a

Proposal for Water St Car Park parking regulations

In discussion with Councillor Irene Mitchell, the only recommendation to make at this time, is to operate the car park under an Off-Street Parking Places order organised under the auspices of Babergh District Council. Parish Councils are not permitted to operate public car parks.

We have commissioned the production of a Legal Order specific to the Water Street Car Park with the assistance of the Babergh Parking Manager Sarah Gilson – see attached letter

Setting up a Legal Order is a lengthy process and will involve a public consultation of 21 days. It is probable that the car park will open without this Legal Order in place. However, measures will be taken to ensure adequate notices are in place.

A draft of this notice can be found lower down in this paper, this will be amended dependent on the outcome of the votes and in conjunction with the legal order.

The method of enforcement has yet to be confirmed, but with the correct notices and order in place we will be in a position to set this up.

Who is allowed to park – three options, each can be amended

- 1) **Vote one** – Proposal that the car park is reserved for Residents only. No visitors (except for access to EV points). **Vote on Residents parking rules needed if this vote passes – vote 4), 5), 6), 7) & 8)**
- 2) **Vote two** - Proposal is to allow residents to park permanently (Subject to residents parking rules) and for visitors to have time limited parking. **Vote on Residents parking rules needed if this vote passes – vote 4), 5), 6), 7) & 8) AND vote on Parking time limit (Vote8).**
- 3) **Vote three** - Proposal is we run the car park under the same rules as Prentice St Car Park Parking Order (plus provisions for EV point 12 hour time limit) i.e permanent parking rights for visitors & resident, no special arrangements for residents. **No further vote needed if this vote passes.**

Vote to be taken on all three options. The option with the most votes will PASS, if there is a tie, the Chair will have the casting vote

If none of these votes have a majority – no decision is reached

Residents parking rules – 5 options, each can be amended

- 4) **Vote four** – Proposal - Residents permit needed for permanent parking, available to whole village, no restriction on how many cars per household.
- 5) **Vote five** – Proposal – Residents permit needed for permanent parking, available to whole village, one car per household.

- 6) **Vote six** – Proposal - Residents permit needed for permanent parking available to Residents of Water St, Brent Eleigh Road, the Common, Shilling St, Barn St , one car per household.
- 7) **Vote seven** – Proposal - Residents permit needed for permanent parking available to Residents of Water St & The Common only, one car per household.
- 8) **Vote eight** - Proposal - Residents permit needed for permanent parking available to Residents of Water St & The Common only, only households with NO Off Street parking, one car per household.

Vote to be taken on all five options. The option with the most votes will PASS, if there is a tie, the Chair will have the casting vote.

If none of these votes have a majority – no decision is reached

And finally – vote on parking time limit

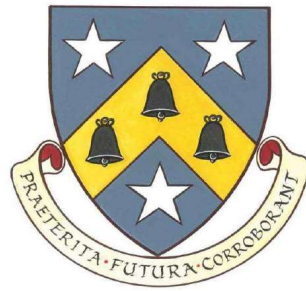
- 8) **Vote nine** – Proposal - Parking without a permit (visitor or resident) should be restricted to 6 hours, no return in 2 hrs, except for the EV points, where 12hour time limit applies.

Permits to be available from the Parish Clerk cost of £5 pa, limited to one year.

Iain Lamont

23/4/22

The Coat of Arms
of Lavenham



LAVENHAM PARISH COUNCIL

Welcome to Water Street Gas Works Car Park

Parking is for the Park Of Vehicles as defined in the current Lavenham Parish Council Parking Regulations a copy of which can be viewed on the Parish Council Website <http://lavenham.onesuffolk.net/>

The council permits persons to park motor vehicles on this car park on the strict understanding that all persons do so entirely at their own risk.

The Council shall not accept responsibility nor be under liability for any loss or damage whatsoever caused to any motor vehicles or other property entering or brought onto this car park

The following restrictions apply and are included in the
Lavenham Parish Council Parking Regulations

No Parking outside designated bays

No Continuous running of engines

No unlicensed vehicles

No vehicles over 1.5 tonnes (Goods Vehicles)

No selling, hiring, servicing or washing of vehicles

No Caravans, boats or trailers (not attached to a vehicle)

No incorrect use of use of directional signs

No use of the car park as any form of operating centre

No trading

No sleeping, camping, cooking, littering

No erection of structures

Parking limited to 6 hours, no return within 2 hours.

No parking of vehicles for over 6 hours unless permit displayed, issued by Lavenham Parish Council.

No parking at Electric Vehicles Charging points unless charging a vehicle

No obstruction of Electric Vehicle Charging Points

Electric Vehicles are limited to 12 hours parking whilst charging.

Vehicles not parked in accordance with the parking regulations may receive a penalty charge.

Registered keeper's details may be requested from the DVLA.

Our Ref: OSSPGW

Date: 28th March 2021

FAO - Lavenham Parish Council

Dear Mrs Mitchell,

I am pleased to be able to confirm in writing our recent discussions regarding the Off-Street Parking Places Order for Lavenham Parish Council's newly acquired Gas Works car park. As it is understood that Lavenham Parish Council wish the car park to operate under the Traffic Management Act 2004, but unfortunately are unable to acquire the legal powers to enable them to do this.

Our discussions have been based on Babergh District Council offering a consultation service to Lavenham Parish Council, which would allow the Gas Works car park to be included within their current Off Street Parking Places Order, as all parking provisions included within this legal order can therefore be enforced in accordance with the Traffic Management Act 2004. The maintenance, and day to day operations of the Gas Works car park will remain the responsibility of Lavenham Parish Council.

The proposed timeframe, once the details of how the car park will operate, and who is allowed to use this parking provision (which must be included with in the legal order) have been refined upon, would be as follows.

Number of day	Process
7	Production of laminate Notices for site; prepare newspaper adverts
22	Advertise Notice of Intention for revised Orders and commence consultation period (this week) (closes by w/c 10 Aug, approx) Notice required in public notices section in paper circulating in the area, and fixed on site
7	slack time for papers/Notice - get views of Pfh as to any objections or setbacks? concurrently: Signage - specify and order, specify posts, (Order once any objections dealt with - or not - and direction known)
28	Papers required for council/PfH (depending upon council standing orders rules for decision on Objections) < Flagged as a risk
20	Final decision on any objections if necessary by Council/or by Pfh if they have powers.
14	Advertise Has Made (7 day minnum) (seal/sign by external legal service) - needs prep with Legal service, possible guidance too.
	Start (likely)

I foresee the estimated cost of implementing the Gas Works car park within the legal order to be £1,604.09 (details included below).

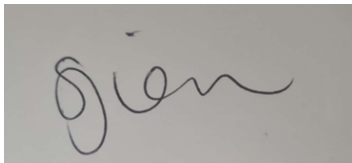
Description of expenditure	Basis	Hourly rate £	No of hours	Total Cost exc VAT £
Parking Services Manager	Hourly rate including on costs	£ 28.25	20	£ 564.94
Legal support / advice - TROs				£ -
Public notice (Archant) - notice of intent				£ 591.67
Public notice (Archant) - notice of making				£ 447.48
TOTAL COST				£1,604.09

If it is the wish of Lavenham Parish Council to move this process forward, then please note that a purchase order requesting the consultation service to commence, would be required.

If there are any questions or comments you would like to discuss, please contact me either by email sarah.gilson@babberghmidsuffolk.gov.uk or via the telephone 01449 724573.

I look forward to hearing from you soon.

Kind regards

A rectangular box containing a handwritten signature in black ink. The signature is cursive and appears to read 'S Gilson'.

Sarah Gilson

Parking Services Manager

Babergh and Mid Suffolk District Councils

WORKING DOCUMENT - The Babergh District Council
(Off Street Parking Places) Order 2022

The Babergh District Council of Endeavour House, Russell Road, Ipswich ("the Council") in exercise of its powers under Sections 32 and 35 of the Road Traffic Regulation Act 1984 (as amended) and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984, the Traffic Management Act 2004 and all Regulations and Orders made in exercise of the powers conferred under the Traffic Management Act 2004 and of all other enabling powers, and with the consent of the Suffolk County Council given under Section 39(3) of the Road Traffic Regulation Act 1984 and after consultation with the Chief Officer of Police in accordance with Paragraph 20 of Schedule 9 of the Road Traffic Regulation Act 1984, hereby makes the following Order:-

GENERAL

Commencement Citation and Revocation

- 1.1. This Order shall come into operation on 22 November 2021 and may be cited as The Babergh District Council (Off Street Parking Places) Order 2021
- 1.2. The following Orders are hereby revoked:

(a) The Babergh District Council (Off Street Parking Places)

Consolidation Order 2020 **Interpretation**

- 1.3. Any reference in this Order to a numbered Article is a reference to the Article bearing that number in this Order and any reference in this Order to "the Schedule" is a reference to the Schedule to this Order

Definitions

- 1.4. In this Order except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them: -

"**The 1984 Act**" means the Road Traffic Regulation Act 1984 (as amended);

"**The 2004 Act**" means The Traffic Management Act 2004 (as amended);

"**charging hours**" means any period specified in Column 7 of the Schedule in respect of which a charge is specified in Article 4

"**Civil Enforcement Officer**" means any officer of the Council who is authorised to supervise and control vehicles in the parking places and appointed to enforce the provisions of this

Order pursuant to section 63A of the 1984 Act and has the same meaning as in Section 76 of the 2004 Act;

“disabled person’s badge” means any badge issued, or having effect as if issued, under any regulations for the time being in force under section 21 of the Chronically Sick and Disabled Persons Act 1970;

“disabled person’s vehicle” means any *vehicle* lawfully displaying a **disabled person’s badge** and has the same meaning as in Section 142 of the 1984 Act;

“driver” in relation to a vehicle waiting in a **parking place**, means the person who was driving the *vehicle* at the time it was left in the **parking place** and in relation to a vehicle leaving a **parking place** means the person who was driving the vehicle at the time it leaves the **parking place**

“enforcement authority” has the same meaning as in Paragraph 8 of Part 2 of Schedule 8 of the 2004 Act and is The Babergh District Council in the case of this Order;

“EV” and **“PHEV”** mean electric vehicle and plug-in hybrid electric vehicle respectively.

“EV/PHEV allocated bay” means a bay for use only by electric or plug-in hybrid electric vehicle that are purchasing power from the Electric Charging Point.

“fee” means the amount payable (as applicable) for a ticket or a parking permit.

“heavy goods vehicle” has the same meaning as a “heavy commercial vehicle” in Section 138 of the 1984 Act;

“invalid carriage” has the same meaning as in Section 136 of the 1984 Act;

“light van” means a light commercial motor vehicle constructed or adapted solely for the purpose of carrying goods unladen weight not exceeding 1.5t

“motor car” and **“motorcycle”** have the same meanings as in Section 136 of the 1984 Act;

“maximum waiting period” means the number of hours specified in the Schedule to this Order for which a vehicle may be left in a parking place

“owner” has the same meaning as in Section 92 of the 2004 Act;

“parking bay” means any area of a **parking place** which is provided for the leaving of a vehicle and indicated by markings on the surface of the **parking place**;

“parking charge” means the charge paid by drivers to leave a vehicle in a parking place;

“parking contravention” has the same meaning as in Part 1 of Schedule 7 of the 2004 Act;

“parking device” has the meaning given in section 35(3B) of the 1984 Act;

“parking permit” which means any current parking permit issued by the Council the Vehicle bearing it and described on the face of it as a parking permit.

“parking place” means any area of land specified by name in Column 1 of the Schedule provided by the Council under Section 32 (1) of the 1984 Act for use as a parking place;

“parking ticket” means a ticket issued by a ticket machine pursuant to this Order;

“penalty charge” has the same meaning as in Section 92 of the 2004 Act and set at a level in accordance with Band 2 in the regulations for the time being in force under Section 77 and Schedule 9 of the 2004 Act as published from time to time and is an additional amount payable regardless of the period for which a vehicle is left;

“penalty charge notice” means a notice described in Section 78 of the 2004 Act having effect as if issued or served by a Civil Enforcement Officer or posted by the enforcement authority under any regulations for the time being in force under Section 78 of the 2004 Act;

“public service vehicle” has the same meaning as in the Public Passenger Vehicles Act 1981;

“permit (‘season ticket’)” means a pre-paid permit issued to a person pursuant to paragraph 4.5 for the parking of a specified vehicle in a specified parking place or places for a specified date or dates without the requirement to make a payment or obtain a parking ticket during the time for which the Permit (‘season ticket’) is valid improper use of which will render the same void;

“trailer” means a trailer within the meaning of section 136(1) of the 1984 Act and shall include a caravan and a boat;

“vehicle” means a mechanically propelled vehicle intended or adapted for use on roads and shall include a motorcycle;

“virtual permit” means a ticket issued electronically on account in an electronic database approved by the Council pursuant to this order

USE OF PUBLIC OFF-STREET PARKING PLACES

Designation

- 2.1. Each area of land specified by name in column 1 of the Schedule may be used, subject to the following provisions of this Order, as a parking place for such

classes of vehicles, in such positions on such days and during such hours as are specified in relation to that area in the Schedule.

Restriction on parking places when closed

2.2. Notwithstanding paragraph 2.1, the Council shall have the power to close any parking place or any part thereof for the staging of a public exhibition, special event or other non-parking related activity.

Class and position of vehicles

2.3. Where in the Schedule a parking place is described as available for vehicles of a specified class or in a specified position, the driver of a vehicle shall not permit it to wait in that parking place unless: –

(a) it is of the specified class

(b) in the position other than specified

Indications by Signs and Markings

2.4. Where, within a parking place, there is a sign or surface marking which indicates that a parking bay is available for vehicles or drivers of a specified class the driver of a vehicle shall not permit it to wait in that parking bay unless the vehicle or driver is of the class so specified.

2.5. Wherever parking bays are provided vehicles shall be positioned wholly within the markings of a parking bay.

Maximum Period

2.6. When a vehicle has left a parking place, any person shall not within four hours after leaving be permitted to wait again in that parking place.

2.7. When a ticket has been obtained in a parking place, and the maximum waiting period for that ticket has expired, a further ticket for that parking place may not be obtained within four hours of expiry of the earlier ticket and any ticket displayed in breach of this article shall be invalid.

Expiry of parking period

2.8. Subject to paragraph 4.5, the expiry time is the time exhibited on the parking ticket displayed on a vehicle. The period will have expired when the time indicated on the clock of the ticket machine that issued the parking ticket is later than the time indicated on the parking ticket, or in the case of a virtual ticket that the time indicated on an electronic device carried by a Civil Enforcement Officer is later than the time indicated on the virtual ticket, any vehicle displaying such a ticket shall be deemed to be in contravention of this Order.

Disabled person's bays

2.9. Where within a parking place there is a sign or surface marking which indicates that a parking bay is available only for a disabled person's vehicle, no person shall permit it to wait in that parking bay unless it is a disabled person's vehicle.

Disabled person's badge

2.10. For the purpose of this Order a vehicle shall be regarded as displaying a disabled person's badge in the relevant position when:

- (i) the badge is exhibited on the dashboard or fascia of the vehicle; or
- (ii) where the vehicle is not fitted with a dashboard or fascia, the badge is exhibited in a conspicuous position on the vehicle;

so that the front of the badge is clearly legible from the outside of the vehicle.

2.11. A disabled person's vehicle displaying a disabled person's badge in the relevant position shall be exempt from any limitation on time specified in column 5 of the Schedule (other than the 24- hour limitation), provided that the vehicle is waiting in the parking place for the purpose of conveying to or from that parking place the holder of the disabled person's badge displayed.

2.12. If a vehicle is left in a parking place:

- (a) in a disabled person's parking bay as described in paragraph 2.9 without displaying in the relevant position a disabled person's badge;

it shall be deemed to be in contravention of this Order.

SUSPENSION OF PARKING PLACE

Restriction on parking places when closed

3.1. Notwithstanding paragraph 2.1, the Council shall have the power to close any parking place or any part thereof for the staging of a public exhibition, special event or other non-parking related activity SAVE THAT nothing in this Article shall restrict the power of the Council to suspend on a temporary basis the use of a place or part thereof from use by indication on site where such suspension is considered reasonably necessary

Power to suspend parking places

3.2. Nothing in paragraph 2.1 shall restrict the power of the Council to suspend the use of a parking place or any part thereof when such suspension is reasonably necessary: -

- (i) for the purposes of facilitating the movement of vehicles or promoting their safety;
- (ii) for the purpose of any building, demolition or excavation operation in or adjacent to the parking place;
- (iii) for the purpose of maintenance, improvement or reconstruction of the parking place;
- (iv) for operations by or on behalf of any statutory undertaker, the Post Office, a water authority or any utility company for the laying, erection, inspection,

maintenance, alteration, repair, renewal or removal of any main, pipe, conduit, wire, cable or other apparatus for the supply of gas, water or electricity or of any telecommunications system

as defined in the Telecommunications Act 1984, or any sewer under, in, on, over, along or across the parking place or any land adjacent to the parking place; or

(v) for the convenience of occupiers of premises adjoining

the parking place. **Signing of suspension**

3.3. Any person suspending the use of a parking place or any part thereof in accordance with paragraph 3.2 of this Article shall thereupon place or cause to be placed in or adjacent to that parking place a traffic sign indicating that waiting by vehicles is prohibited.

No parking on suspended bays

3.4. No person shall cause or permit a vehicle to be left in any parking place or part of a parking place during such period as there is in or adjacent to that parking place, or part thereof, a traffic sign indicating that waiting by vehicles is prohibited, unless the vehicle is so left with the permission of the person suspending the use of the car park or the part thereof in accordance with the provisions of this Article.

3.5. Where the use of a specific parking space or any part thereof is suspended, nothing in paragraph 2.1 of this Order shall restrict the power of the Council to permit the temporary use of another parking place by classes of vehicle other than those stipulated in column 3 of the Schedule for a period equivalent to that of the period of suspension.

EV/PHEV bays

3.6. Where, within a parking place, there is a sign or surface marking which indicates that a parking bay is available only for an EV/PHEV, no person shall permit it to wait in that parking bay unless it is an EV/PHEV drawing charge from the power point.

AMOUNT OF CHARGE AT PARKING PLACES

Amount and Payment of Fees or where a Ticket is

Required 4.1. Provisions of this Article shall only apply to

parking places in the Schedule. 4.2. Insofar as a vehicle is left

in a parking place where :-

(a) the payment of a parking charge is required during the charging hours the driver thereof shall pay such charges as are specified in the following provisions of this Order.

(b) a 3-hour display ticket is required for nil charge during the prescribed hours of operation as specified in column 7 of the Schedule, the driver thereof

must obtain a ticket or make such arrangements allowed for in paragraph 4.5.

Method of payment

- 4.3. Any person causing or permitting a vehicle to be left in a parking place shall upon the leaving of a vehicle in that parking place pay the appropriate charge, or acquire a ticket where nil charge is required, in accordance with the scale of charges specified in columns 6 and 7 of the Schedule.
- 4.4. The charges referred to in paragraph 4.3 (and not a parking permit) of this Article shall be payable by the insertion of an appropriate coin or coins into the apparatus or device provided, being an apparatus or device approved in accordance with Section 35(3) of the Act and the provisions of Section 47(5) of the Act shall apply in respect of such apparatus.

Display of ticket, season ticket or parking permit

- 4.5. The methods of payment or the acquisition of a parking ticket where nil charge is required given in Article 4 are extended to enable payment of parking charges or the acquisition of a ticket by any other methods that the Council makes available. This may include a virtual permit (including as an alternative to a parking ticket from a parking machine) and to be valid any virtual permit must be registered with the correct vehicle registration number and correct car park location by the driver on account in an electronic database approved by the council with the agreement of the driver to make payment by electronic means of an amount or for a period specified being completed by the driver. Once completed the driver will not be required to display a parking ticket in the relevant position. Failure to register the vehicle or correctly input the correct car park location will invalidate the parking session. If a vehicle is left in such a manner, without these requirements being met, then it shall be deemed to be in contravention of this order.

4.6. Any ticket or permit issued in accordance with Article 4 shall be attached in a conspicuous position to the vehicle in respect of which it was used so that it may be read from outside the vehicle, save that this may not apply with a payment made in accordance with paragraph 4.5.

- 4.7. When a parking permit has been displayed on a vehicle in accordance with the provisions of Article 4.28 of this Order, no person shall remove the parking permit from the vehicle unless authorised to do so by the driver of the vehicle.
- 4.8. A vehicle shall not be left in a parking place if it displays an out of date and/or out of time ticket.

- 4.9. The date of purchase, charge paid and the time of expiry as stated on the ticket shall be conclusive evidence of those facts for the purposes of this Order and any proceedings taken thereunder.

Non-transferable

- 4.10. A ticket purchased from a ticket machine under paragraph 4.4 is not transferable between vehicles or between different parking places.

Expiry of parking period

4.11. If a vehicle is left in a parking place:

- (a) during the charging hours for longer than the initial period for which payment was made; or
- (b) for a period longer than the maximum permitted for waiting by this Order and referred to in column 5 of the Schedule

it shall be deemed to be in contravention of this Order.

Season tickets and parking permits

4.12. Any person who is the owner of a vehicle of a class specified in Column 3 of the Schedule (as amended) may on application to the Council purchase a season ticket for parking places specified in the Schedule, in respect of that vehicle, for a charge determined by the Council, taking into account the charges specified in column 6 and 7 of the Schedule, and that season ticket shall be valid in such parking places and on such days as are specified thereon during the period for which it is issued.

4.13. Any person who is the owner of a vehicle of a class specified in Column 3 of the Schedule (as amended) may apply to the Council for the issue of a parking permit for the vehicle in a single identified parking place during the periods of operation specified in Columns 4 to 6 in the Schedule in relation to the said parking place and any such application shall be made in a form prescribed by the Council and shall include the particulars and information required by such form to be supplied.

4.14. The Council may require an applicant for a parking permit or permit holder to produce such evidence in respect of the application they may reasonably require to view any particulars of information given to them.

4.15. The Council upon being satisfied that an applicant is the owner of a vehicle of a class specified in the Schedule as being of a class of vehicle permitted in the identified parking place and on receipt of the appropriate fee as specified for that parking permit in Column 7 of the Schedule of this Order or as subsequently specified from time to time in public notices made by the Council pursuant to the 1984 Act, may issue to that applicant a parking permit, valid for a period specified in the Schedule for the leaving of that vehicle on the days and at the times specified in the Schedule in the parking place identified for that parking permit, by the owner or by any person using such vehicle with the consent of the driver (other than a person to whom such vehicle has been let for hire or reward).

4.16. The Council reserves the right to reject an application and its

decision shall be final. **Refund**

4.17. After payment has been made for a parking permit no

refunds shall be given. **Surrender of a parking permit**

4.18. The Council, may, by notice in writing served on the permit holder at the address shown by that person on the application for the parking permit or at any other address which the Council believes to be that person's residence, withdraw a

parking permit if it appears to the Council that any of the events set out in Article 4.19 of this Order has occurred, and the permit holder shall surrender the parking permit to the Council within 48 hours of the receipt of the said notice.

4.19. The events referred to in Article 4.18 of this Order are:-

- (a) the permit holder ceases to be the owner of a vehicle of the class in respect of which a parking permit was issued;
- (b) the permit holder ceases to be the owner of the vehicle in respect of which a parking permit was issued;
- (c) the vehicle in respect of which such parking permit was issued being adapted or used in such a manner that it is not a vehicle of a class specified as permitted in Column 3 of the Schedule in relation to the identified parking place;
- (d) the issue of a duplicate parking permit by the Council under the provisions of Article 4.21 of this Order;
- (e) the issue of a replacement parking permit by the Council under the provisions of Article 4.23 of this Order;
- (f) the expiry of the period for which the parking permit was issued.
- (g) a breach of any condition which may from time to time be determined by the Council and is specified on the parking permit and/or application form and/or terms and conditions issued with the parking permit
- (h) repeated failure by the permit holder to display the parking permit in accordance with Article 4.28.

4.20. A parking permit shall cease to be valid on the occurrence of any of the events set out in Article 4.19 of this Order.

4.21. If a parking permit is mutilated or defaced or the figures or particulars on it have become illegible or the colour of the parking Permit has become altered by fading or otherwise, the permit holder shall surrender it to the Council and may then apply to the Council for the issue of a duplicate permit.

4.22. If a parking permit is lost or destroyed, the permit holder may apply to the Council for issue of a duplicate permit.

4.23. If a permit holder changes their vehicle, then on surrender of their existing parking permit to the Council, the permit holder may apply to the Council for the issue of a replacement permit

4.24. The provisions of this Order shall apply to a duplicate or replacement parking permit and an application for such a parking permit as if it were a parking permit or, as the case may be, an application for a parking permit.

4.25. Any parking permit issued by virtue of the provisions of Articles 4.21, 4.22 or 4.23 of this Order shall be marked as a duplicate or a replacement as the case may be, and upon the issue of duplicate or replacement parking permit the parking permit which it duplicates or replaces shall become invalid

4.26. The issue of a duplicate or replacement parking permit shall be subject to the payment of an administration fee by the applicant as set from time to time by the Council and the number of duplicate parking permits to be issued to a vehicle or the number of replacement parking permits to be issued to a permit holder shall be limited to one per calendar year.

Format of parking permits

4.27. A parking permit shall include the following particulars:-

- a) the registration mark of the vehicle in respect of which the parking permit has been issued; b) the parking place in respect of which the parking permit is valid;
- c) the period during which, subject to the provisions of Article 4.20 of this Order, the parking permit shall remain valid; and
- d) an authentication that the permit has been issued by, or on behalf of, the Council, to include the unique reference number of the parking permit.

Display parking permit

4.28. Whenever a vehicle has been left in a parking place during any part of the ticketing hours in that parking place there shall be displayed in a conspicuous position on the vehicle a parking permit valid in respect of that vehicle so that all the particulars referred to in Article 2.1 of this Order are readily visible from outside the vehicle save that any virtual permit issued by the Council need not be displayed in the vehicle.

4.29. When a parking permit has been displayed on a vehicle in accordance with the provisions of Article 4.28 of this Order, no person shall remove the parking permit from the vehicle unless authorised to do so by the driver of the vehicle.

CONTRAVENTION AND PENALTY CHARGE

Contravention and non-compliance

5.1. (1) For the avoidance of doubt, and in addition to other paragraphs of this Order, a contravention of this Order shall be deemed to have occurred by a vehicle –

- (a) Being parked in a loading area during restricted hours without reasonable excuse;
- (b) Being parked without payment of the parking charge (as provided for in paragraph 4.2);
- (c) Being used in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited (as provided for in paragraph 6.3);

- (d) Being parked for longer than the maximum period permitted (as provided for in paragraph 2.7 and 4.9);
 - (e) Being parked in a restricted area in a car park (as provided for in paragraph 2.2); (f) Being parked after the expiry of paid for time (as provided for in paragraph 2.8);
- (g) Being parked in a car park without clearly displaying a valid pay & display ticket (as provided for in paragraph 4.6);
- (h) Being parked with additional payment made to extend the stay beyond time first purchased (as provided for in paragraph 2.7);
- (i) Being parked in a permit bay without clearly displaying a valid permit (as provided for in paragraph 4.6);
- (j) Being parked beyond the bay markings (as provided for in paragraph 2.55);
- (k) Being parked in a disabled person's parking space without clearly displaying a valid disabled person's badge (as provided for in paragraph 2.49);
- (l) If the vehicle parked exceeds maximum weight and/or height and/or length permitted in the area (as provided for in paragraph 2.33);
- (m) Being re-parked within a specified time of leaving a bay or space in a car park (as provided for in paragraph 2.66);
- (n) Being parked in a car park or area not designated for that class of vehicle (as provided for in paragraph 2.33);
 - (o) Being parked causing an obstruction (as provided for in paragraph 2.33); (p) Being parked in car park when closed (as provided for in paragraph 3.1);
- (q) Being parked in a pay & display car park without clearly displaying two valid pay and display tickets when required;
- (r) Being parked in a parking place for a purpose other than the designated purpose for the parking place (as provided for in paragraphs 6.1, 6.2, 6.3, 6.4, 6.12, 6.14 or 6.15);
- (s) Being parked with engine running where prohibited (as provided for in paragraph 6.2);
 - (t) Being parked in an electric vehicles' charging place during restricted hours without charging (as provided for in paragraph 3.6).

(2) If a vehicle is left in a parking place in contravention of any paragraph of this Order where a penalty charge notice may be served or issued by a Civil Enforcement Officer or sent by post by the enforcement authority by virtue of the provisions of the 2004 Act or any Regulations made thereunder then a penalty charge in accordance with Band 2 of the aforesaid Regulations shall be payable and/or the vehicle may be removed from that location or parking place.

(3) If a person (who may or may not be an individual but is conclusively presumed to be the registered keeper of any vehicle involved unless that person can prove otherwise) does not comply with any paragraph of this Order other than that covered by 5.1 then the person responsible shall be guilty of an offence under Section 35 of the 1984 Act and/or any vehicle involved may be removed from that location or parking place.

Penalty charge notice

5.2. In the case of a vehicle in respect of which the penalty charge may have been incurred, it shall be the duty of a Civil Enforcement Officer to attach to the vehicle in a conspicuous position or serve or the enforcement authority send by post a notice in accordance with the provisions contained in the 2004 Act or any Regulations made thereunder.

Manner of payment of Penalty charge

5.3. The penalty charge shall be paid to the Council either by cheque, banker's draft, money order or postal order or other such electronic payment means as may be approved by the Council or by payment in cash in person in accordance with the instructions contained on the penalty charge notice;

Indications as evidence

5.4. The particulars given in the penalty charge notice attached to a vehicle or served by a Civil Enforcement Officer or sent by the enforcement authority in accordance with this part shall be treated as evidence in any proceedings relating to failure to pay such penalty charge.

Restriction on removal of a penalty charge notice

5.5. Where a penalty charge notice has been attached to a vehicle in accordance with any of the foregoing provisions of this Order, no person, not being the owner or person in charge of the vehicle, a person authorised by the driver of the vehicle, a Civil Enforcement Officer or some other person duly authorised by the Council shall remove the penalty charge notice from the vehicle unless authorised to do so by the owner or person in charge of the vehicle.

OTHER PROVISIONS

Tax and Insurance

6.1. The driver of a vehicle shall not permit that vehicle to wait in a parking place in the Schedule unless the vehicle is licensed in pursuance of the provisions of the Vehicle Excise and Registration Act 1994 and unless there is in relation to the use of the vehicle by the driver such a policy of insurance as complies with the requirements of Part VI of the Road Traffic Act 1988.

Stop engine

6.2. The driver of a motor vehicle using a parking place shall stop the engine as soon as the vehicle is in position in the parking place and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place.

Use of vehicle

6.3. Except with the written permission of the Council:

(a) no person shall use a vehicle, while it is in a parking place, in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of their skill or services.

(b) no person shall use any part of a parking place or any vehicle left in a

parking place: (i) for sleeping or camping or cooking; or

(ii) for the purpose of servicing or washing any vehicle or part thereof other than is reasonably necessary to enable that vehicle to depart from the parking place.

Not sound horn

6.4. The driver of a vehicle using a parking place shall not sound any horn or other similar instrument except when about to change the position of the vehicle in or to depart from the parking place.

Movement or removal of vehicle

6.5. If a vehicle is left in a parking place in a position other than in accordance with the provisions of Article 2, a person authorised by the Council in that behalf may alter or cause to be altered the position of the vehicle so that its position is in accordance with the said provisions.

6.6. If a vehicle is left in a parking place in contravention of any of the foregoing provisions of this Order a person authorised by the Council in that behalf may remove the vehicle from that parking place or arrange for such removal.

Emergency

6.7. For the purpose of meeting the requirements of an emergency, a person authorised in that behalf by the Council or a police constable in uniform may alter or cause to be altered the position of a vehicle in a parking place or remove or arrange for the removal of a vehicle from a parking place.

Method of movement or removal

6.8. Any person altering, or causing the alteration of, the position of a vehicle by virtue of paragraph 3 or 6.6 or removing, or causing the removal of, a vehicle by virtue of paragraphs 3 or 6.6, may do so by towing or driving the vehicle or in such other manner as he may think reasonably necessary to enable the position of the vehicle to be altered or the vehicle to be removed.

Safe keeping

6.9. Any person removing or arranging for the removal of a vehicle by virtue of paragraphs 3 or 6.6 shall make such arrangements as he considers to be reasonably necessary for the safety of the vehicle in the place to which it is removed. The

Council shall be entitled to recover its reasonable expenses in accordance with the relevant legislation in the removal, storage and disposal of the vehicle from the keeper thereof.

Indications by Signs and Markings

6.10. Where in a parking place signs are erected or surface markings are laid for the purpose of – (a) indicating the entrance to or exit from the parking place, or

(b) indicating that a vehicle using the parking place shall proceed in a specified direction within the parking place

no person shall drive or permit to be driven any vehicle

(i) so that it enters the parking place otherwise than by an entrance, or

(ii) leaves the parking place otherwise than by an exit, so indicated, or

(iii) in a direction other than so specified, or

(iv) at a speed greater than that indicated, or

(v) parks in a prohibited area delineated by lines, signs or cones.

6.11. The driver of a vehicle shall comply with any instruction given by a sign or surface marking authorised to be placed by the Council except that any person duly authorised by the Council may authorise or require the driver of any vehicle to take any action other than that specified.

Parking uses only

6.12. No person shall, except with the permission of a person authorised by the Council in that behalf, drive or permit to be driven any vehicle in a parking place for any purpose other than the purpose of leaving that vehicle in the parking place in accordance with the provisions of this Order or for the purpose of departing from the parking place.

6.13. No person shall use a parking place as a means of passage proceeding from one road to another road except as may be permitted under Licence by this Order.

Operating Centre

6.14. No person shall use any part of a parking place as an “operating centre” within the meaning of section 7 of the Goods Vehicles (Licensing of Operators) Act 1995 (or any statutory modification or re-enactment thereof) under a goods vehicle operator license.

Further provisions

6.15. In a parking place, no person shall –

(a) erect or cause or permit to be erected any tent, booth, stand, building or other structure, machine or device without the written consent of the Council; or

(b) light or cause or permit to be lit any fire; or

- (c) deposit or otherwise leave any caravan, trailer, boat, or other object which is not attached to a vehicle, or
- (d) dispose of litter other than in any receptacle which may be provided by the Council for that purpose.
- (e) charge or replenish a fuel tank in any parking place;
- (f) drain any fuel or effluent tank either onto a parking place or into the drainage system or watercourse therein;
- (g) misuse or interfere with the use or enjoyment by others of any parking place nor obstruct any part of the structure, signage, stairways doors or walkways of any parking place; (h) smoke.

Nuisance

6.16. No person shall in a parking place play any game or do anything which is or may be a nuisance disturbance or annoyance to users of the parking place or residents of premises in the neighbourhood.

Advertising Leaflets, Etc

6.17. No person shall use any part of a parking place or any vehicle left in a parking place without the consent of the Council for the purposes of depositing or causing to be deposited any advertisement handbills leaflets or circulars, or affix any advertising material to the fabric structure or equipment of any parking place nor any vehicle parked therein;

EXEMPTIONS

7.1. Nothing in this Order shall make it unlawful for:

(a) any vehicle used:

- (i) in connection with the patrol, repair and maintenance of parking places;
- (ii) in connection with any building, demolition or excavation operation in, or on land adjacent to, any the parking place;
- (iii) in connection with any emergency for police, ambulance and fire brigade or recovery purposes; or
- (iv) on behalf of or by a statutory undertaker, the Post Office, a water authority or any utility company and engaged upon the laying, erection, inspection, maintenance, alteration, repair, renewal or removal of any main, pipe, conduit, wire, cable or other apparatus for the supply of gas, water or electricity or of any telecommunications system, as defined in the Telecommunications Act 1984, or any sewer under, in, on, over, along or across a parking place;

to enter such parking places described in column 1 of the Schedule, and such vehicles left in a parking place for the aforesaid purposes shall be exempt from any limitation on waiting and from the payment of any charge specified in the Schedule.

- (b) any vehicle to enter any of the parking places described in column 1 of the Schedule for the purposes of gaining access to or egress from premises adjoining any such parking places; or
- (c) any vehicle to enter any parking place, on which the Council has placed a depositary for recyclable waste materials, for the purposes of delivering or collecting such materials; and provided that such a vehicle is not left in a parking bay and is not causing an obstruction it shall be exempt from any payment of any charge specified in the Schedule.



Given under the Common Seal of
Babergh District Council this
XXXXX day of YYYY 2021.

**The COMMON SEAL of
BABERGH SUFFOLK DISTRICT COUNCIL**

was hereunto affixed in the presence of:

Member of Council

.....

Authorised Officer

.....

Agenda item 11a Schedule of Regulation - Appendix to Legal Order

Areas of land authorised to be used as an off street parking place	Position in which vehicles may wait	Classes of vehicle	a. Days of operation b. Hours of operation	Maximum period for which vehicles may wait	Charging days and charging hours	Scale of charges of parking place
Water Street Car Park	Wholly within a parking bay	Motor car; Invalid carriage; Light Van	a. All days b. All hours	6 hours (no return within X hours)	All days At all times	No charge
	Wholly within a parking bay	Motor car; Invalid carriage; Light Van	a. All days b. All hours	24 hours	All days At all times	Residents permit must be clearly displayed in the vehicle at all times
	Wholly within a designated Blue Badge bay	Motor car; Invalid carriage; Light Van	a. All days b. All hours	24 hours	All days At all times	Blue badge must be clearly displayed in the vehicle at all times
	Wholly within an EV bay	EV only unless notice displayed on site permits non EV	a. All days b. All hours	12 hours whilst charging only	All days At all times	Users of the charge point will be expected to pay for power at the rate set by the provider

The Coat of Arms
of Lavenham



LAVENHAM PARISH COUNCIL

Welcome to Water Street Gas Works Car Park

Parking is for the Park Of Vehicles as defined in the current Lavenham Parish Council Parking Regulations a copy of which can be viewed on the Parish Council Website <http://lavenham.onesuffolk.net/>

The council permits persons to park motor vehicles in this car park on the strict understanding that all persons do so entirely at their own risk.

The Council shall not accept responsibility nor be under liability for any loss or damage whatsoever caused to any motor vehicles or other property entering or brought onto this car park

The following restrictions apply and are included in the Lavenham Parish Council Parking Regulations

- No Parking outside designated bays
- No Continuous running of engines
- No unlicensed vehicles

No vehicles over 1.5 tonnes (Goods Vehicles)
No selling, hiring, servicing or washing of vehicles
No Caravans, motorhomes, motor-cycles, boats or trailers (not attached to a vehicle)
No incorrect use of use of directional signs
No use of the car park as any form of operating centre
No trading
No sleeping, camping, cooking, littering
No erection of structures
No parking of vehicles for over 24hours unless registered with Lavenham Parish Council
No parking at Electric Vehicles Charing points unless charging a vehicle
No obstruction of Electric Vehicle Charging Points
Electric Vehicles are limited to 12 hours parking whilst charging.

**Vehicles not parked in accordance with the parking regulations may receive a penalty charge
Registered keeper's details may be requested from the DVLA**

LAVENHAM PARISH COUNCIL DATA PROTECTION POLICY

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Purpose

The council is committed to being transparent about how it collects and uses the personal data of staff, and to meeting our data protection obligations. This policy sets out the council's commitment to data protection, and your rights and obligations in relation to personal data in line with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

This policy applies to the personal data of current and former job applicants, employees, workers, contractors, and former employees, referred to as HR-related personal data. This policy does not apply to the personal data relating to members of the public or other personal data processed for council business.

The council has appointed [Jane Bellward Parish Clerk](#) as the person with responsibility for data protection compliance within the council. Questions about this policy, or requests for further information, should be directed to them.

Definitions

"Personal data" is any information that relates to a living person who can be identified from that data (a 'data subject') on its own, or when taken together with other information. It includes both automated personal data and manual filing systems where personal data are accessible according to specific criteria. It does not include anonymised data.

"Processing" is any use that is made of data, including collecting, recording, organising, consulting, storing, amending, disclosing or destroying it.

"Special categories of personal data" means information about an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life or sexual orientation and genetic or biometric data as well as criminal convictions and offences.

"Criminal records data" means information about an individual's criminal convictions and offences, and information relating to criminal allegations and proceedings.

Data protection principles

The council processes HR-related personal data in accordance with the following data protection principles the council:

- processes personal data lawfully, fairly and in a transparent manner
- collects personal data only for specified, explicit and legitimate purposes
- processes personal data only where it is adequate, relevant and limited to what is necessary for the purposes of processing

- keeps accurate personal data and takes all reasonable steps to ensure that inaccurate personal data is rectified or deleted without delay
- keeps personal data only for the period necessary for processing
- adopts appropriate measures to make sure that personal data is secure, and protected against unauthorised or unlawful processing, and accidental loss, destruction or damage

The council will tell you of the personal data it processes, the reasons for processing your personal data, how we use such data, how long we retain the data, and the legal basis for processing in our privacy notices.

The council will not use your personal data for an unrelated purpose without telling you about it and the legal basis that we intend to rely on for processing it. The council will not process your personal data if it does not have a legal basis for processing.

The council keeps a record of our processing activities in respect of HR-related personal data in accordance with the requirements of the General Data Protection Regulation (GDPR).

Processing

Personal data

The council will process your personal data (that is not classed as special categories of personal data) for one or more of the following reasons:

- it is necessary for the performance of a contract, e.g., your contract of employment (or services); and/or
- it is necessary to comply with any legal obligation; and/or
- it is necessary for the council's legitimate interests (or for the legitimate interests of a third party), unless there is a good reason to protect your personal data which overrides those legitimate interests; and/or
- it is necessary to protect the vital interests of a data subject or another person; and/or
- it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

If the council processes your personal data (excluding special categories of personal data) in line with one of the above bases, it does not require your consent. Otherwise, the council is required to gain your consent to process your personal data. If the council asks for your consent to process personal data, then we will explain the reason for the request. You do not need to consent or can withdraw consent later.

The council will not use your personal data for an unrelated purpose without telling you about it and the legal basis that we intend to rely on for processing it.

Personal data gathered during the employment is held in your personnel file in hard copy and electronic format on HR and IT systems and servers. The periods for which the council holds your HR-related personal data are contained in our privacy notices to individuals.

Sometimes the council will share your personal data with contractors and agents to carry out our obligations under a contract with the individual or for our legitimate interests. We require those individuals or companies to keep your personal data confidential and secure and to protect it in accordance with Data Protection law and our policies. They are only permitted to process that data for the lawful purpose for which it has been shared and in accordance with our instructions.

The council will update HR-related personal data promptly if you advise that your information has changed or is inaccurate. You may be required to provide documentary evidence in some circumstances.

The council keeps a record of our processing activities in respect of HR-related personal data in accordance with the requirements of the General Data Protection Regulation (GDPR).

Special categories of data

The council will only process special categories of your personal data (see above) on the following basis in accordance with legislation:

- where it is necessary for carrying out rights and obligations under employment law or a collective agreement;
- where it is necessary to protect your vital interests or those of another person where you are physically or legally incapable of giving consent;
- where you have made the data public;
- where it is necessary for the establishment, exercise or defence of legal claims;
- where it is necessary for the purposes of occupational medicine or for the assessment of your working capacity;
- where it is carried out by a not-for-profit body with a political, philosophical, religious or trade union aim provided the processing relates to only members or former members provided there is no disclosure to a third party without consent;
- where it is necessary for reasons for substantial public interest on the basis of law which is proportionate to the aim pursued and which contains appropriate safeguards;
- where it is necessary for reasons of public interest in the area of public health; and
- where it is necessary for archiving purposes in the public interest or scientific and historical research purposes.

If the council processes special categories of your personal data in line with one of the above bases, it does not require your consent. In other cases, the council is required to gain your consent to process your special categories of personal data. If the council asks for your consent to process a special category of personal data, then we will explain the reason for the request. You do not have to consent or can withdraw consent later.

Individual rights

As a data subject, you have a number of rights in relation to your personal data.

Subject access requests

You have the right to make a subject access request. If you make a subject access request, the council will tell you:

- whether or not your data is processed and if so why, the categories of personal data concerned and the source of the data if it is not collected from yourself;
- to whom your data is or may be disclosed, including to recipients located outside the European Economic Area (EEA) and the safeguards that apply to such transfers;
- for how long your personal data is stored (or how that period is decided);
- your rights to rectification or erasure of data, or to restrict or object to processing;
- your right to complain to the Information Commissioner if you think the council has failed to comply with your data protection rights; and
- whether or not the council carries out automated decision-making and the logic involved in any such decision-making.

The council will also provide you with a copy of your personal data undergoing processing. This will normally be in electronic form if you have made a request electronically, unless you agree otherwise.

If you want additional copies, the council may charge a fee, which will be based on the administrative cost to the council of providing the additional copies.

To make a subject access request, you should send the request to the Clerk or Chairman of the Council. In some cases, the council may need to ask for proof of identification before the request can be processed. The council will inform you if we need to verify your identity and the documents we require.

The council will normally respond to a request within a period of one month from the date it is received. Where the council processes large amounts of your data, this may not be possible within one month. The council will write to you within one month of receiving the original request to tell you if this is the case.

If a subject access request is manifestly unfounded or excessive, the council is not obliged to comply with it. Alternatively, the council can agree to respond but will charge a fee, which will be based on the administrative cost of responding to the request. A subject access request is likely to be manifestly unfounded or excessive where it repeats a request to which the council has already responded. If you submit a request that is unfounded or excessive, the council will notify you that this is the case and whether or not we will respond to it.

Other rights

You have a number of other rights in relation to your personal data. You can require the council to:

- rectify inaccurate data;
- stop processing or erase data that is no longer necessary for the purposes of processing;
- stop processing or erase data if your interests override the council's legitimate grounds for processing data (where the council relies on our legitimate interests as a reason for processing data);
- stop processing or erase data if processing is unlawful; and
- stop processing data for a period if data is inaccurate or if there is a dispute about whether or not your interests override the council's legitimate grounds for processing data.
- complain to the Information Commissioner. You can do this by contacting the Information Commissioner's Office directly. Full contact details including a helpline number can be found on the Information Commissioner's Office website (www.ico.org.uk).

To ask the council to take any of these steps, you should send the request to the Clerk or Chairman of the Council.

Data security

The council takes the security of HR-related personal data seriously. The council has internal policies and controls in place to protect personal data against loss, accidental destruction, misuse or disclosure, and to ensure that data is not accessed, except by employees in the proper performance of their duties.

Where the council engages third parties to process personal data on our behalf, such parties do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

[Impact assessments

Some of the processing that the council carries out may result in risks to privacy (such as monitoring of public areas via CCTV). Where processing would result in a high risk to your rights and freedoms, the council will carry out a data protection impact assessment (DPIA) to determine the necessity and proportionality of processing. This will include considering the purposes for which the activity is carried out, the risks for yourself and the measures that can be put in place to mitigate those risks.]

Data breaches

The council have robust measures in place to minimise and prevent data breaches from taking place. Should a breach of personal data occur the council must take notes and keep evidence of that breach.

If you are aware of a data breach you must contact the Clerk or Chairman of the Council immediately and keep any evidence, you have in relation to the breach.

If the council discovers that there has been a breach of HR-related personal data that poses a risk to the rights and freedoms of yourself, we will report it to the Information Commissioner within 72 hours of discovery. The council will record all data breaches regardless of their effect.

If the breach is likely to result in a high risk to the rights and freedoms of individuals, we will tell you that there has been a breach and provide you with information about its likely consequences and the mitigation measures we have taken.

International data transfers

The council will not transfer HR-related personal data to countries outside the EEA.

Individual responsibilities

You are responsible for helping the council keep your personal data up to date. You should let the council know if data provided to the council changes, for example if you move to a new house or change your bank details.

Everyone who works for, or on behalf of, the council has some responsibility for ensuring data is collected, stored and handled appropriately, in line with the council's policies.

You may have access to the personal data of other individuals and of members of the public in the course of your work with the council. Where this is the case, the council relies on you to help meet our data protection obligations to staff and members of the public. Individuals who have access to personal data are required:

- to access only data that you have authority to access and only for authorised purposes;
- not to disclose data except to individuals (whether inside or outside the council) who have appropriate authorisation;
- to keep data secure (for example by complying with rules on access to premises, computer access, including password protection, locking computer screens when away from desk, and secure file storage and destruction including locking drawers and cabinets, not leaving documents on desk whilst unattended);
- not to remove personal data, or devices containing or that can be used to access personal data, from the council's premises without prior authorisation and without adopting appropriate security measures (such as encryption or password protection) to secure the data and the device; and
- not to store personal data on local drives or on personal devices that are used for work purposes.
- to never transfer personal data outside the European Economic Area except in compliance with the law and with express authorisation from the Clerk or Chair of the Council
- to ask for help from the council's data protection lead if unsure about data protection or if you notice a potential breach or any areas of data protection or security that can be improved upon.

Failing to observe these requirements may amount to a disciplinary offence, which will be dealt with under the council's disciplinary procedure. Significant or deliberate breaches of this policy, such as accessing personal data without authorisation or a legitimate reason to do so or concealing or destroying personal data as part of a subject access request, may constitute gross misconduct and could lead to dismissal without notice.

[Training

The council provides training to all individuals about their data protection responsibilities.

If your roles require you to have regular access to personal data, or you are responsible for implementing this policy or responding to subject access requests under this policy, you will receive additional training to help you understand your duties and how to comply with them.]

This is a non-contractual policy and procedure which will be reviewed from time to time.

Date of policy: December 2019

Approving committee:

Date of committee meeting:

Policy version reference:

Supersedes: [Name of old policy and reference]

Policy effective from:
Date for next review:

— policy ends here —

Notes

This is an example policy that should be adjusted to reflect the procedures and policy of the council.

1. Data audit

It is important that the council's policy reflects current practice. Any policy must be based on a data audit to ensure that the council understands what data is collected, where it is stored, who has access to the data and the measures taken to ensure it is secure. For more information on implementing a Data Protection Policy, please refer to the Information Commissioner website.

2. Relevance

The council must ensure that any commitment made in their policy is relevant and up-to-date.

3. Data Protection Officer

The policy assumes that the council has a Data Protection lead rather than appointed a Data Protection Officer (DPO). The role of DPO is set out in legislation and infers specific obligations. Parish councils in England and community councils in Wales and Scotland are exempt from having to appoint a DPO (<https://ico.org.uk/for-organisations/in-your-sector/local-government/local-gov-gdpr-faqs/>) but are still subject to data protection legislation and must ensure sufficient resources to meet the obligations under the GDPR.

4. Data storage within the EU

You need to take account of where your data is stored including servers, on the cloud, and where your suppliers might hold their data including on their server.

Guidance

Where there is text in [square brackets] this part may be updated or be deleted if not relevant. An alternative option may have been provided.

Important notice

This is an example of an employment policy designed for a small council adhering to statutory minimum requirements and does not constitute legal advice. As with all policies it should be consistent with your terms and conditions of employment.

This document was commissioned by the National Association of Local Councils (NALC) in 2019 for the purpose of its member councils and county associations. Every effort has been made to ensure that the contents of this document are correct at time of publication. NALC cannot accept responsibility for errors, omissions and changes to information subsequent to publication.

This document has been written by the HR Services Partnership – a company that provides HR advice and guidance to town and parish councils. Please contact them on 01403 240 205 for information about their services.

Agenda item 14a

Lavenham Neighbourhood Plan Revision Group

UPDATE REPORT TO LAVENHAM PARISH COUNCIL Thursday 5 May 2022 meeting

1. My apologies that there was no update report to LPC's 7 April meeting.
2. Drafting of our revised Neighbourhood Plan (LNP2) began in March 2022 and has continued through April. This has involved both Revision Group members and our planning consultant, Rachel Hogger.
3. We have now updated the Themes and Objectives, presented at our informal briefing for councillors on 6 January. We have a working 'skeleton' structure of LNP2 chapters and appendices, and we have already completed first drafts of most chapters.
4. Following our meeting on 25 February with Babergh Council planning officers, we have found it necessary to revise our timetable for completing LNP2. We had expected that the new Babergh Mid-Suffolk Joint Local Plan (JLP) would have been adopted before we submitted our draft LNP2 to Babergh Council.
5. We now know that the JLP will be in two Parts, with a modest delay before adopting of the first Part, but with a considerable delay before adoption of the second Part. As a result, we now intend to submit our draft LNP2 as soon as possible after adoption of the JLP's first Part.
6. Our design consultant, Paul Dodd, completed the first draft of the Design Guide in March. We discussed this draft with him and have agreed the 'direction of travel' of the second draft, which we have just received and are in the process of considering.
7. Our updated Landscape Character Assessment (drafted again by Lucy Batchelor-Wylam, our landscape consultant) is also in an advanced state of preparation.
8. As previously mentioned in these update reports, Iain Lamont and I have agreed that a further informal briefing should be arranged for Parish Councillors. This will take place on Thursday 12 May, at 8pm in the Village Hall. We shall be able to provide greater detail about the topics mentioned in these reports, and related matters, during this briefing.

Roy Mawford
Chair, LNP Revision Group
25 April 2022

REPORT: OPEN SPACES

Our purpose is to develop, maintain and enhance those areas of the parish for which we are directly responsible and to liaise and work with Babergh District Council and Suffolk County Council with the view of greening those areas of Lavenham for which they are responsible.

As such our priority is the provision of allotments for the approximately thirty residents of Lavenham who wish to procure one. We have made considerable progress and after several inspections of sites have tentatively identified an appropriate area. By the end of May we will know if the area concerned meets all the necessary criteria and will take those steps necessary to transform the site.

We are developing plans for First Meadow and those verges which the Parish Council maintains as well as a scheme that will allow us to plant in appropriate areas one tree for every inhabitant.

On First Meadow we have approved the planting of an appropriate hedge along the Brent Eleigh Road and will be submitting a plan to the Babergh authorities who will kindly provide the shrubs and trees.

Through consultations with Lavenham residents we will also devise a more general plan for greening.

We will be discussing the matter of the premature mowing of wildflowers by our and other local authority contractors. The Parish Council contractors have been alerted to their need to adhere to the provisions of their contracts and we will be discussing this matter with the Babergh and Suffolk authorities who are responsible for the vast majority of verges within the parish.

The Open Space committee will meet on Tuesday the 24th of May to take these matters further.