

## **AGENDA ITEM 8 – Notice of Motions**

**The following motions have been moved by Cllr Stabler**

### **a) TITLE: Data Protection Breach Parish Clerks Pay**

Motion - The Parish Council recognises that it has a legal obligation to be open, transparent and accountable in respect of the management of all public funds. The Parish Council also recognises it has a legal duty to protect its employee records under data protection legislation. Any salary payments made to any named employees of the parish council past or present that appears in its summons and minutes is a breach of the data protection legislation. I move that with immediate effect this practice ceases, that all summons and minutes past / present / future are amended to show Employee Salaries / Costs Payments only. And an apology is issued to all those directly affected by this failure.

The Information Commissioner's Office have confirmed that "Personal data means any information relating to an identified or identifiable living person the "data subject". A data subject may be identified directly or indirectly, in particular by reference to an identifier. These identifiers may include a name, location, an email address or computer IP address."

*Legal information and advice is available in the Supplementary documents 1 and 2.*

*Supplementary Document 1 - National Association of Local Councils (NALC) Legal Topic Note – Data Protection.*

*Supplementary Document 2 - NALC Advice Note – Data Protection.*

### **b) TITLE: Introduction of Service Level Agreement**

Motion - The Parish Council acknowledges that local residents have raised concerns about the failure of the Parish Council to respond in a reasonable time-frame to voicemail and email enquiries. With a parish population of 2,316 as of 2011 census these concerns are taken seriously. The Parish Council recognises that it is in part due to the Parish Clerk's working pattern "varied times for 10 hours per week" and priorities. To improve the public perception of the service provided by the parish council. I move that the Parish Council introduces a Service Level Agreement (SLA) that outlines expectations for responding to calls and emails received from local residents. The aim of introducing a Service Level Agreement is to manage expectations by providing the best possible service to local residents whilst ensuring efficiency and effectiveness. This agreement would ensure consistent service levels, define response times, and potentially include remedies if those levels are not met:

1. The Parish Council aims to respond to telephone messages on the same day or within 2 working days by the Parish Clerk.
2. The Parish Councils aims to respond to email messages within 10 working days, providing either a substantive answer or a time-frame for a more detailed response.

3. The Parish Council website, automated voicemail and email messages will be updated to reflect the Parish Councils Service Leave Agreement.

**c) Emergency Delegated Power to Parish Clerk**

Motion - The Parish Council acknowledges the need for emergency delegated powers to be given to the Parish Clerk in exceptional circumstances to deal with serious, unexpected, and dangerous incidents requiring immediate action to be taken by the Parish Council in an efficient and effective way to limit the potential impact on local residents (situations that would be impractical to deal with under normal Parish Council procedures). I move that the Parish Clerk is given limited power to deal with 3 specific emergency situations (policy to be reviewed annually):

1. Water leaks or bursts at the Village Cemetery (maximum value £100.00).
2. Potential slips or trips hazards at the Village Cemetery caused by adverse / severe weather conditions (maximum value £100.00).
3. Power supply interruptions or lighting issues at the Village Christmas Tree location during the Christmas and New Year period (maximum value £100.00).

**d) TITLE: Online Freedom of Information Disclosure Log**

Motion - The Parish Council already has a duty to maintain a Freedom of Information Disclosure Log. To ensure Open, Accountable and Transparent access to information from members of the public. I move that the parish council's disclosure log is also made available on its website. To improve public access to council information and reduce unnecessary duplication and double handling of freedom of information requests to ensure the efficient use of Council resources.

*Legal information and advice is available in the Supplementary documents 1 and 2.*

*Supplementary Document 3 - NALC Legal Topic Note – Freedom of Information.*

*Supplementary Document 4 - NALC Advice Note – Freedom of Information.*

**e) TITLE: Automated External Defibrillator (AED)**

Motion - St Mary's Church grounds are regularly used for Village Celebrations / Events involving large numbers of people. The Parish Council recognises that Automated External Defibrillator (AED) can save life during a cardiac event if administered within 3 to 5 minutes of the event. This is crucial because the longer it takes to administer the defibrillator, the lower the chances of survival. I move that the Parish Council makes an application to the Durham Area Action Partnership (13 May 2025 - current balance of the community chest stands at £29,461.75) to fund the

installation of an additional register Automated External Defibrillator AED in the village in the vicinity of St Mary's Church.

Current locations of Registered AED: West Rainton Primary School, West Rainton Surgery and the Jubilee Hall

**f) TITLE: West Rainton By PHILIP RONAN**

Motion - West Rainton and Leamside Parish Council supported and financed the publication of West Rainton by Philip Ronan (1989). Two half-leather bound copies were created. The first is held at The Story (formerly Durham County Archive) EP/WR 245, and the second copy was planned to be held at West Rainton Primary School. I moved that the Parish Council makes this value publication available in perpetuity to the local electorate on its website

*Booklet on Memories of West Rainton is available as a PDF file at Supplementary Document 5*

**g) TITLE: To install a Permanent Christmas Tree on the Village Green**

Motion - The Parish Council continues to support a Village Christmas Tree (tradition started back in 2015). Examination of the Parish Councils own finance records over the last 4 years excluding initial installation costs in 2021 (associated with a location move from the heritage garden to the village green - power supply), shows the parish council has spent a total of £11,356.69 (extract below) installing a yearly cut Christmas Tree. The Parish Council is under a legal obligation to ensure value for money for local tax-payers when spending public funds. Online research shows a large living Christmas Tree (8ft+) would cost up to £3,000. I move that the Parish Council carries out all necessary due diligence and authorises the installation of a permanent living Christmas Tree in 2025.

Supporting Evidence below:

21/11/2024 Durham County Council Festive Lighting / supply, erection & disposal of Christmas tree £3010.12

21/09/2023 Durham County Council Christmas - Supply of tree, lighting, assisted switch on and removal of tree £2907.97

17/11/2022 Durham County Council Supply, erection and removal of Christmas tree and lighting arrangements £2958.25

18/11/2021 Durham County Council Supply/Removal of Xmas tree and lights £2480.35

18/03/2021 Durham County Council Christmas Tree & Light Installation £10958.48

Total Christmas Tree Expenditure £22,315.17

**h) TITLE: Data protection Registration correction**

Motion - The Parish Council acknowledges that its Data Protection Registration currently does not show the correct registered address of the Parish Council potentially leaving the Parish Council open to significant penalties from the Information Commissioner's Office. The Parish Council Registration Z2493928 (viewed 11 June 2025) currently shows the registered address as 34 Ambleside Avenue South Shields NE34 ODY Date Registered 28 January 2011 Registration expires 27 January 2026. Which was the registered address of the Parish Council between September 2014 - November 2015 and June 2016 - September 2016 (temporary appointment of a Parish Clerk following the resignation of the current Parish Clerks immediate predecessor November 2015 - June 2016). I move that the ICO Data Protection Registration is immediately updated, the ICO is notified of the error to ensure transparency, procedures are implemented to ensure details always show the current registered address of the Parish Council, and an unreserved public apology is issued to the previous Parish Clerk who's address has wrongly appeared on the Parish Councils Data Protection Registration record for the last 9 years.