



Minutes of Mirfield Town Council Meeting

Held on: Tuesday 7th January 2020 at 7.30pm

Held at: St Mary's Community Centre, Church Lane, Mirfield

Councillors Present:

M Bolt (Chairman), J Roberts, P Tolson, M Brown, K Taylor, K Taylor, V Lees-Hamilton, M Burton, M Ibberson, J Hinchliffe, S Naisbett, S Guy

In Attendance:

Clerk: L Staggs
Public: Member My Mirfield
Press: None

MTC159/2019 Chairman's Welcome and Remarks:

The Mayor welcomed Cllrs and wished them a happy new year. It was confirmed that there would be no recording of the meetings. He reported his attendance at the 868-squadron winter event and stated that he wanted more interaction and development with young people. He reported speaking on behalf of MTC and residents of Granny Lane at strategic planning meeting regarding the development at Granny Lane, which was still granted. 18th January Neighbourhood Planning meeting. 23rd-29th there will be displays for National Holocaust Remembrance Day arranged by Armistice Committee.

MTC160/2019 Public Question Time:

None

MTC161/2019 Apologies For Absence:

Councillors to send apologies and reasons for absence to the clerk or chairman for approval

Cllrs: Cllr Connell, Cllr Hirst, Cllr Benson, Cllr Nottingham

It was resolved to accept the reasons for absence.

MTC162/2019 Declaration of Interest:

Councillors to declare an interest, if applicable to any item on the agenda including any pecuniary interests whether they have been declared on the members register of pecuniary interests.

Cllr Bolt declared an other interest MTC169(3i) Land at Slipper Lane, as his home was nearby

Cllr Brown declared an other interest in Allotments

Cllr Kath Taylor declared a pecuniary interest in Heavy Woollen Planning & Licensing

Cllr Ibberson declared a pecuniary interest MTC166(1)

Cllr Guy declared an other interest MTC167(1) spouse works for Library Services

Cllr Hinchliffe declared a pecuniary interest MTC169(1)

MTC163/2019

Confirmation of Minutes:

To approve the minutes of the Ordinary Town Council meeting of 10th December 2019 as a true and correct record including payments of **£25,418.02**. Cllr Brown **Proposed** the minutes were a true & correct record Cllr Naisbett **Seconded Vote: All in favour**

MTC164/2019

Matters Arising From The Minutes:

To receive information on the following ongoing issues and decide further action where necessary

No updates/reports received

MTC165/2019

Outside Bodies: (Updates via email from Cllrs)

To receive information on the following items and decide any action where necessary. Reports to be submitted to Clerk and circulated by email with the agenda. **None Received**

MTC166/2019

Internal Matters:

To receive information on the following items and decide any action where necessary.

1. To discuss and agree annual sponsorship of My Mirfield Awards Lifetime Achievement Award at a cost of £250 – A grant application was circulated prior to the meeting. Member of My Mirfield is present. 8.20pm Cllr Ibberson leaves the room having declared a pecuniary interest. Cllr Bolt confirms that any previous decisions made by a previous council no longer stand regarding sponsorships. Clerk confirms that although it is classed as a sponsorship, as it is using public funds, for audit and transparency, she requires grant application and MTC to agree the allocation of funds. Cllr Lees-Hamilton **Proposed** MTC sponsor the Lifetime Achievement Award at a cost of £250 and allocate this amount in the budget for the next 4 years under Annual Events Cllr Bolt **Seconded Vote: All in favour. 8.30pm My Mirfield member leaves.**
2. To appoint Internal Auditor from Yorkshire Internal Audit Services for 1st Audit 2019/2020 – Cllr Bolt **Proposed** to appoint Yorkshire Internal Audit Services for 1st audit 2019/20 Cllr Kath Taylor **Seconded Vote: All in favour**
3. To agree renewal & payment of Go Daddy 2020/21, £201.67 for 1-year website builder & 2-year domain hosting – Cllr Naisbett **Proposed** the annual renewal of Go Daddy at a cost of £201.67 Cllr Guy **Seconded Vote: All in favour**
4. To discuss YLCA consultation for strengthening Police powers to tackle unauthorised encampments and agree a course of action – Cllrs discuss the points at length. Cllr Bolt had made notes and comments on the consultation documents. Cllr Bolt **Proposed** the MTC accepts the comments and amendments made and sends to NALC with a copy to local MP to hand to relevant Minister. Cllr Lees-Hamilton **Seconded Vote: All in favour** (See appendix below).

MTC167/2019

Mirfield Matters:

To receive an update/discuss/note on the following items.

1. To receive an update on Mirfield Library & Library Services and discuss – Chief Librarian from Kirklees Library Services & Chair Friends of Mirfield Library are present. Chief Librarian reports that after 2 service reviews they are moving to a settled period and working with volunteers and local Friends groups, with an established budget and staff. After the consultation in 2018 permission was given to move forward & recruit. Due to volunteers and Friends groups, the libraries are more sustainable but with reduced budgets since 2016. There is a proposal to move to a new development,

this needs to be looked at to see the criteria. Currently in talks with Place Director for investment with a £4m budget for local libraries. Much of this budget to be spent in Heckmondwike. Library ambitions are to be co-produced in the heart of a community and look at each on its own merits with the involvement of volunteers. She reports that a working library in Mirfield would need 2 floors, with event space and flexible shelving. Cllrs discuss and are concerned that moving the library would lose the 'hub' of the town as it is central and a main point of the town on the main road. In addition to this the memorial garden is at the front of the library with parking and recycling to the rear. Having spent serious money upgrading the gardens and installation of a flag pole in the remembrance gardens, MTC are not happy that a registered memorial garden may disappear. In addition, it is the main focus for the remembrance parade and annual Carols around the tree. Considering there is a £4million budget for libraries, Cllrs feel that some of this could be spent upgrading the existing building and maybe incorporating the public toilets and installing a lift. Chief Librarian states that they are not yet ready for a public consultation. Cllrs feel that this is a necessity with full costings/plans before any public consultation takes place. The Chair of the Friends group states that the group will not settle for a library that delivers less than they already have. The current library needs more accessibility and public toilets and a lift. There are plenty activities taking place at the minute but with more access, they can provide even more and be a main community hub for the town. Cllrs thank Chief Librarian and Chair of the Friends group for attending and providing an update. Friends group thanks MTC for their continued support. 8.20pm they leave.

2. To receive an update on Mirfield Matters Survey Portfolio areas format & agree any action necessary - **Defer**

MTC168/2019

Correspondence:

To receive the following new items of correspondence and decide any action where necessary

1. YLCA White Rose Update (For Information) – **Noted**
2. NALC Chief Executive Bulletin (For Information) – **Noted**
3. NALC Spring Conference (For Information) – **Noted**
4. YLCA Legal Topic Note 22 (For Information) – **Noted**
5. NALC Winter Survey (For Information) – **Noted**
6. NALC Chairman's Open Letter to Councillors (For Information) – **Noted**

MTC169/2019

PLANNING:

1. To consider planning applications received from Kirklees Council
 - 2019/93607 – **Noted**
 - 2019/93882 – **Noted**
 - 2019/93890 – **Noted**
2. To consider planning decision notifications from Kirklees Council
No Comments/Noted
3. To consider potential controversial planning applications
 - i. **2019/90756 & 2019/91971 & 93367 & 93202 & 93526** Land at Slipper Lane to receive an update and agree any action or costs necessary – Cllr Bolt reports many comments from residents regarding the traffic lights at the Fountain junction. Cllr Lees-Hamilton states people not focusing and heeding junction changes as the traffic flow is working. Clerk to ask Kirklees for Stage 3 Safety Review/Assessment and details of any collisions that have occurred.
 - ii. **2017/94124** Land at Dunbottle Lane Outline application for erection

of up to 60 dwellings and associated means of access Withdrawn – MTC notes the discussion prior to the public meeting with the Director of Place and Kirklees officer.

- iii. **2019/93659** Land at Kitson Hill Crescent – Application will be heard at HWP this week
- iv. **2019/93660** Land off Fox Royd Drive – Application will be heard at HWP this week
- v. Dewsbury Riverside Development – **No Update**

MTC170/2019

The Date Of The Next Town Council Meeting:

Date of next meeting **Tuesday 21st January 2020**

Time Meeting Closed.....**8.52pm**.....

APPENDIX TO MTC166(4):

Q1. To what extent do you agree or disagree that knowingly entering without the landowner's permission should only be made a criminal offence if it is for the purpose of residing on it?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

The distinction is needed to protect those who may be enjoying the countryside or otherwise inadvertently wander onto land, there is a difference between that and the aim to stay for however long

Q2. To what extent do you agree or disagree that the act of knowingly entering land without the landowner's permission should only be made a criminal offence if it is for the purpose of residing on it with vehicles?

Strongly agree / Agree / Neither agree or disagree / Disagree / **Strongly disagree**

Without clarity in the definition we may see the situation where a caravan is on land booth no towing vehicle, unless the caravan is also designated a vehicle? To define vehicles.

We may face a situation where a group may set up camp using tents etc which under this would be exempt

Q3. To what extent do you agree or disagree that the landowner or representatives of the landowner should take reasonable steps to ask persons occupying their land to remove themselves and their possessions before occupation of the land can be considered a criminal offence?

Strongly agree / Agree / Neither agree or disagree / Disagree / **Strongly disagree**

If a land owner felt intimidated and the demand to leave was a pre-condition of police action or breaking the law then unless the police were to accompany a land owner or agent when they made the request it could lead to a loop hole

Q4. To what extent do you agree or disagree that a criminal offence can only be committed when the following conditions have been met?

a) the encampment prevents people entitled to use the land from making use of it
Strongly agree / Agree / Neither agree or disagree / Disagree / **Strongly disagree**

Again, the need for clarity, we could have the situation, where a camp is on a park, playing field or car park to which, the public have access to some but not all so with the current wording is it a loophole?

b) the encampment is causing or is likely to cause damage to the land or amenities
Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

c) those on the encampment have demanded money from the landowner to vacate the land; and/or
Strongly agree / Agree / Neither agree or disagree / Disagree / **Strongly disagree**
Why wait until money is demanded to remove someone from land which isn't theirs

d) those on the encampment are involved or are likely to be involved in anti-social behaviour.
Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree
Providing the use of likely to be, as the public understand it

Q5. What other conditions not covered in the above should we consider?

**Where damage has been caused to allow entry whether or not by the occupants
Under anti-social behaviour public decency issues such as using field edges as toilets
Damage to the land or field**

Q6. To what extent do you agree or disagree that police should be given the power to direct trespassers to suitable authorised sites in a neighbouring local authority area?

Strongly agree / Agree / Neither agree or disagree / Disagree / **Strongly disagree**

It is not for the police to check if spaces are available at a site, they may suggest if they see fit, but directing means they are ordering them to move in there and there are many issues in the travelling community which render that problematic

Q7: Should this be subject to conditions around agreements being in place between local authorities?

No

Q8: Should there be a maximum distance that a trespasser can be directed across?

No, if we disagree with the premise of direction it is irrelevant, but as travellers' distance is often not an issue

Q9: Should there be any other conditions that should be considered when directing a trespasser across neighbouring authorities. If so, what should these be?

Not Applicable

Q10. To what extent do you agree or disagree that the period of time in which trespassers directed from land would be unable to return should be increased from 3 months to 12 months?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Q11. To what extent do you agree or disagree that the number of vehicles needing to be involved in an unauthorised encampment before police powers can be exercised should be lowered from six to two vehicles?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

At a time when a camp is first set up there may be few vehicles, but in practice when more arrive police have not been quick to take action. If the issue is dealt with swiftly it prevents it being a bigger issue

Q12. To what extent do you agree or disagree that the police should be granted the power to remove trespassers from land that forms part of the highway?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Road safety concerns for both the encampment and passers-by who may be distracted or where a camp may obscure sight lines or signals

Q13: To what extent do you agree or disagree that the police should be granted the power to seize property, including vehicles, from trespassers who are on land with the purpose of residing on it?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Where they have cause to fear a person may abscond if they are served a warrant, or where damage has been caused and compensation needed

Q14: Should the police be able to seize the property of:

i) Anyone whom they suspect to be trespassing on land with the purpose of residing on it; **YES**

ii) Anyone they arrest for trespassing on land with the purpose of residing on it; **YES**

or iii) Anyone convicted of trespassing on land with the purpose of residing on it? **YES, if the conviction has a fine and they fear the offender may abscond without paying**

Q15. To what extent do you agree or disagree that the proposed amendments to sections 61 and 62A of the Criminal Justice and Public Order Act 1994 contained in this consultation are sufficient measures to tackle the public disorder issues which are associated with unauthorised encampments without the requirement for introducing specific powers that criminalise unauthorised encampments?

Strongly agree / Agree / **Neither agree or disagree** / Disagree / Strongly disagree