



ANNUAL TOWN COUNCIL MEETING

Held on: Tuesday 14th May 2019 at 7.17pm

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

Councillors Present:

M Ibberson, S Guy, V Lees-Hamilton, J Hirst, J Nottingham, K Taylor, M Bolt, S Benson, P Tolson, M Brown, K Taylor, S Naisbett, J Roberts, J Hinchliffe, M Connell

Councillors Absent:

M Burton

In attendance:

Clerk L Staggs
Public Members Allotment Society, Member Mirfield Arts Festival
Press None

MINUTES

MTC1/2019	<u>CHAIRMAN'S WELCOME</u> Cllr Ibberson welcomed everyone in attendance to the Annual Council Meeting.
MTC2/2019	<u>ELECTION OF NEW CHAIRMAN:</u> 1. Election <u>Cllr M Ibberson Proposed Cllr Martyn Bolt</u> <u>Seconded: Cllr Tolson</u> <u>Vote: All in favour</u> 2. To read & Sign the Declaration of Acceptance of Office of Chairman - Cllr Bolt read aloud the Declaration of Acceptance and signed the register for the position of Chairman. 3. To nominate their charity/charities for the year - Chairman Cllr Bolt asked to defer the item.
MTC3/2019	<u>COUNCIL TO GIVE THANKS TO THE DISCHARGING MAYOR</u> Cllr Lees-Hamilton thanked Cllr Ibberson for a fantastic year including the Ambassador Awards at the Celebration of Mirfield Volunteers event. Cllr Lees-Hamilton <u>Proposed</u> a vote of thanks for Cllr Ibberson Cllr Tolson <u>Seconded</u> <u>Vote: All in favour</u>
MTC4/2019	<u>ELECTION OF THE DEPUTY CHAIRMAN:</u> <u>Cllr Bolt Proposed Cllr Vivien Lees-Hamilton as Deputy Mayor</u> <u>Seconded: Cllr Taylor</u> <u>Vote: All in favour.</u> Motion carried Cllrs Lees-Hamilton was elected as Deputy Chairman. Cllr Benson requested a vote for a joint deputy. Cllr Keith Taylor Proposed but in the absence of a second, proposal was withdrawn.

	<p>7.22pm Cllr Benson left the meeting without apology or reason and he recorded the meeting. Cllr Naisbett Proposed the motion be revisited in 6 months' time, to see if a joint Deputy is required Cllr Ibberson Seconded Vote: All in favour</p>
MTC5/2019	<p><u>PUBLIC QUESTION TIME</u> None as in Purdah.</p>
MTC6/2019	<p><u>APOLOGIES FOR ABSENCE</u> To receive apologies and approve reasons for absence (Members are reminded that apologies should be sent to the Clerk or Chairman if they are unable to attend). Cllrs: M Burton (Personal). Cllr Bolt Proposed MTC permits by way of a dispensation for Cllr Burton to make his Declaration of Acceptance of Office on or before the last meeting of June 2019 due to the circumstances of his absence Cllr Lees-Hamilton Seconded Vote: All in favour Apologies were accepted. Cllr Bolt resolved to bring forward MTC10 & MTC15</p>
MTC7/2019	<p><u>DECLARATION OF INTEREST</u> To receive any declarations of interest to any item on the agenda including pecuniary interests whether they have been declared under the Council's Code of Conduct or Members Register of Pecuniary Interests Cllr Taylor declared Heavy Woollen Planning & licensing as Pecuniary Interests Cllr Tolson declared a personal interest MTC13(5) member of Mirfield Team Parish Cllr Bolt declared a non-pecuniary interest MTC14(3ii) Land at Slipper Lane Cllr Brown declared a personal interest MTC15(1) Cllr Hinchliffe declared a pecuniary interest MTC14 Planning. Cllr Guy declared a non-pecuniary interest MTC15(9) member RBL.</p>
MTC8/2019	<p><u>MEETINGS 2019/2020</u> Set the dates, times and place of meetings of the council for the year. A list was circulated prior to the meeting and agreed at the meeting.</p> <p>PROPOSED: Cllr M Ibberson SECONDED: Cllr Nottingham VOTE: All in favour Action: Clerk to upload to the website. Cllrs discuss the possibility of holding meetings at other venues around the town. Clerk states that St Mary's Community Centre is the postal address for the council and therefore post is collected at the meetings. Cllr Taylor states that St Mary's is now the home of MTC following the loss of the council offices and that it is easily accessible with plenty parking and a competitive hourly rate. Cllr Ibberson states that he sees the sentiment in moving around but is mindful that this could mean losing St Mary's availability. Cllr Bolt Proposed to retain the Schedule of Meetings at St Mary's with the opportunity to use other venues if required but to recompense St Mary's in the event the venue is not required for a meeting Cllr Ibberson Seconded Vote: All in favour</p>
MTC9/2019	<p><u>OUTSIDE BODIES:</u> To appoint members. A list of Outside Bodies was circulated prior to the meeting Clerk to delete Kirklees Historic Building Trust as it no longer exists. It was resolved that the following appointments be made to Outside Bodies: Mirfield Community Partnership – Cllr M Connell YLCA – Cllr S Naisbett National Mining Museum – Cllr M Bolt Mirfield Community Centre – Cllr M Ibberson</p>

	<p>Mirfield Community Trust – Cllr M Ibberson Royal British Legion – Cllr P Tolson & Cllr J Roberts Mirfield Allotments & Garden Society – Cllr V Lees-Hamilton & Cllr M Brown Kirklees Community Hubs – Cllr John Nottingham</p> <p>Action: Cllrs to send reports to the Clerk for her to circulate.</p>
MTC10/2019	<p><u>REVIEW AND ADOPTION OF APPROPRIATE POLICIES:</u> Updated policies were circulated prior to the meeting</p> <ol style="list-style-type: none"> 1. Effectiveness of system of the internal auditor – Cllr Guy Proposed to adopt the updated policy Cllr Nottingham Seconded Vote: All in favour 2. Complaints Procedure – Cllr Bolt Proposed to adopt the updated policy with the addition of the relevant Standing Order in the text Cllr Guy Seconded Vote: All in favour 3. Internal Audit Review: <ol style="list-style-type: none"> i. System of Internal Control – Cllr Guy Proposed to adopt the updated policy Cllr Naisbett Seconded Vote: All in favour ii. Risk Management – Cllr Guy Proposed to adopt the updated policy Cllr Naisbett Seconded Vote: All in favour 4. Code of Conduct – Cllr Lees-Hamilton Proposed to adopt the Kirklees Code of Conduct with the insertion of Mirfield Town Council and deletion of cabinet member from the text Cllr Tolson Seconded Vote: All in favour 5. Standing Orders – Cllr Brown Proposed to adopt the updated Standing Orders Cllr Guy Seconded Vote: All in favour 6. Financial Regulations – Cllr Nottingham Proposed to adopt the updated Financial Regulations Cllr Naisbett Seconded Vote: All in favour
MTC11/2019	<p><u>CONFIRMATION OF MINUTES:</u> To approve the minutes of the ordinary meeting of 16th April as a true and correct record including payments of £3671.73 Cllr Guy Proposed the minutes were a true and correct record Cllr Nottingham Seconded Vote: Cllrs present at the 16th April meeting were in favour.</p>
MTC12/2019	<p><u>MATTERS ARISING FROM THE MINUTES:</u> To receive information on the following ongoing issues and decide further action where necessary</p> <ol style="list-style-type: none"> 1. To receive an update from Cllr Guy on Defibrillators Plaques & decide any action or costs necessary – Cllr Guy updates new Cllrs on the defibrillator match funding and reports that he will chase the plaques. Cllr Guy Proposed to continue with the 50/50 match funding of defibrillators with local groups and businesses Cllr Lees-Hamilton Seconded Vote: All in favour Cllr Connell reports that a defibrillator has been requested by a business on The Knowl. Cllrs Ibberson and Connell pledge £50 each towards the cost of this. Cllr Connell to contact the business. 2. To receive an update from Clerk on Ambassadors Board & agree any action or costs necessary – Clerk reports that she has not had an update. Cllr Ibberson agreed to liaise with ex Cllr Pinder to progress this. 3. To receive an update from Cllr Bolt on Water Safety Initiative – Cllr Bolt reports Canal & River Trust are in favour of the initiative and he will continue to progress this. 4. To receive an update from Clerk on Community Warden & agree any action necessary – Clerk reports that she has had an email from a Kirklees officer who has stated that there is no reason that a short-term contract cannot be put in force for a Community Warden. Clerk to liaise with the officer and arrange a meeting to discuss.

5. To receive an update on Community Right to Bid and agree any action necessary – Clerk reports that YLCA have circulated the request to other councils. Information was circulated to Cllrs prior to the meeting. Cllrs Ibberson, Hinchliffe and Naisbett are interested in forming a working party to progress this.
6. To receive an update and clarification from Cllr Bolt regarding the sale of Mirfield Showground & decide & agree any action necessary – Cllr Bolt reports that during the election, a leaflet was circulated to residents by the Labour party regarding the purchase of the Showground which stated that a ‘Tory’ landowner had tried to build on the land and Labour Cllrs had stopped the building of houses on it. Cllr Bolt has investigated this and found it to be incorrect. He reads an email from Kirklees officer, who had obtained information requested by Cllr Bolt. The land was purchased by Mirfield Urban District Council for a sum of £110,000, it was not gifted nor a compulsory acquisition and at no time was it brought into public ownership. Cllr Bolt **Proposed** MTC has noted claims in a Labour Election Leaflet that have been proven false. Factual evidence of this to be filed with the minutes of this meeting as a true record of the facts Cllr Lees-Hamilton **Seconded**
Vote: All in favour Cllr Bolt passes the records to the Clerk for attachment with the minutes.
7. To receive an update from Cllr Benson on Balderstone Hall Field & agree any action necessary – Defer as Cllr Benson left the meeting

MTC13/2019

FINANCE:

To approve the following accounts for payment.

MAY		
Payee	Description	Amount
Clerk L Staggs	May Salary	£ 884.44
HMRC	May PAYE	£ 345.88
Clerk L Staggs	Home Working Allowance	£ 18.00
Clerk L Staggs	NEST Pension	£ 84.77
St Marys	May Room Hire	£ 21.00
Just Gardens	May Maintenance	£ 80.00
TOTAL		£ 1434.09

Cllr Bolt **Proposed** items 1 – 6 en block Cllr Guy **Seconded** **Vote: All in favour**

7. To receive a bank reconciliation to 30/04/19 – **Noted**
8. To receive spend/income comparison with the adopted budget – **Noted**. Cllr Bolt explains the budget to new Councillors. He confirms that the election reserves are sufficient as the 2nd May election was not contested.

MTC14/2019

PLANNING:

1. To consider planning applications received from Kirklees Council.
8.31pm Cllr Hinchliffe left the room whilst planning was discussed having already declared a pecuniary interest.
2019/91347 – **Noted**
2019/91367 – **Noted**
2019/91084 – **Noted**
2019/91329 – **Noted**
2019/91299 – **Noted**
2019/91331 – **Noted**

	<p>2019/91233 – Noted 2019/91267 – Noted 2019/91264 – Noted 2019/91304 – Noted 2019/91133 – Noted</p> <p>2. To consider planning decision notifications from Kirklees Council. No Comments/Noted</p> <p>3. To consider potential controversial applications:</p> <ul style="list-style-type: none"> i. 2017/94124 Outline application for erection 60 dwellings at Dunbottle Lane & agree any action necessary – Cllrs discussed in MTC12(5) ii. 2019/20756 Land at Slipper Lane – Cllr Bolt reports that the application is to be referred to strategic planning as a request to amend Section 106 has been made. Cllr Bolt reports he asked Kirklees for figures of received and unspent 106 monies. From June 2013-2018 £6,328,978.48 received 106 monies & £5,571,498.28 unspent 106 monies. MTC has grave concerns how Kirklees are managing finances and not showing due diligence. Cllr Bolt Proposed MTC requests from Kirklees details of all 106 monies agreed or undischarged in Mirfield from 2009. It requests information if any officer has a direct remit for the handling/enforcing/recovering of 106 monies and details of varying agreements from the original condition of the developer Cllr Guy Seconded Vote: All in favour Cllr Naisbett Proposed MTC also asks that MTC are kept updated of details of Section 106 monies as new agreements are passed Cllr Ibberson Seconded Vote: All in favour iii. To discuss Dewsbury Riverside Development & agree any action or costs necessary – Cllr Bolt confirms that he and the Clerk have engaged Enzygo to investigate any implications for Mirfield <p>8.54pm Cllr Hinchliffe returns to the room.</p>
<p>MTC15/2019</p>	<p><u>INTERNAL MATTERS:</u></p> <p>To receive information on the following items and decide any action where necessary.</p> <ul style="list-style-type: none"> 1. To receive an update from The Allotment Society regarding Easement on access road to Nab Lane Allotments & the cutting of trees at Lowlands site overhanging the river & discuss the issue of overhanging trees at Nab Lane site – The Chair of MAGS is present. An email was circulated prior to the meeting. Cllr Bolt reads the requests from the email. Point 1: Cllr Bolt Proposed MTC agrees to request the easement from Kirklees in principle and for MTC to view the document before signing and for MAGS to put forward an indemnity clause to MTC for maintenance/repair of the pipes Cllr Lees-Hamilton Seconded Vote: All in favour Point 2: Cllr Bolt Proposed if the land bordering the riverbank at the Lowlands site belongs to MTC, then the works for removal of trees can progress. MAGS to pay any cost incurred and indemnify MTC accordingly Cllr Lees-Hamilton Seconded Vote: All in favour Point 3: Cllr Bolt Proposed MTC has no objection for MAGS to contact Kirklees to make safe the trees that pose a danger at the Bankfield Site Cllr Lees-Hamilton Seconded Vote: All in favour MAGS to alert Cllrs if any delays from Kirklees. 2. To note the minutes of the Neighbourhood Plan Steering Group meeting – Cllr Guy Proposed to note the minutes Cllr Lees-Hamilton Seconded Vote: All in favour 3. To appoint Councillor Signatories for the MTC bank account – Cllrs Taylor &

	<p>Hirst confirmed they wished to remain as signatories. Cllr Bolt Proposed Cllrs Taylor & Hirst remain and Cllrs Brown & Ibberson be added to the mandate Cllr Naisbett Seconded Vote: All in favour</p> <ol style="list-style-type: none"> 4. To appoint members of the Employment Committee – Cllrs Lees-Hamilton & Taylor stated they wished to remain on the committee. Defer and circulate Clerk’s contract and Terms. 5. To approve Annual Return Annual Governance Statement 2018/2019 – Cllr Brown Proposed to approve Annual Return Annual Governance Statement 2018/2019 Cllr Lees-Hamilton Seconded Vote: All in favour 6. To approve Annual Return Annual Accounting Statements 2018/2019 – Cllr Naisbett Proposed to approve Annual Return Annual Accounting Statements 2018/2019 Cllr Brown Seconded Vote: All in favour 7. To appoint Internal Auditor for 2019/2020 first visit in October – Cllr Lees-Hamilton Proposed the Clerk appoints Yorkshire Internal Audit Services for 2019/2020 1st Audit Cllr Guy Seconded Vote: All in favour 8. To receive a quotation for the Hire of the Marquee for the Mirfield Show by MTC and agree the costs involved. Deposit of £823.00 required on booking - Cllrs Hinchliffe, Ibberson & Naisbett declare an interest and leave the room. Cllr Lees-Hamilton Proposed to continue supporting Marquee hire for Mirfield Show as it is of benefit to the whole community and included in the budget Cllr Guy Seconded Vote: 12 in favour Cllrs Hinchliffe, Ibberson & Naisbett return. 9. To agree Terms of Reference for Remembrance Committee – It was resolved that the item was added by Cllr Bolt. Terms of Reference were circulated prior to the meeting. Cllr Guy declared a non-pecuniary interest. Cllr Bolt reported that ex Cllr Burton had done much of the work on the Remembrance Committee and believes going forward he would be an asset as an independent member. Cllr Bolt Proposed to amend the current terms as follows: Delete Representation at memorial parade on a 50/50 cost basis & add to the committee members an <i>independent person with skills to assist</i>. In addition to delegate any anniversaries i.e. VE75 to the committee Cllr Lees-Hamilton Seconded Vote: 14 in favour Cllr Guy abstained
MTC16/2019	<p><u>CORRESPONDENCE:</u></p> <p>To receive the following items of correspondence and decide any action where necessary.</p> <ol style="list-style-type: none"> 1. NALC Chief Executive Bulletin April – Noted 2. NALC Chief Executive Bulletin May – Cllr Bolt reports that VE75 celebrations be passed to Memorial Committee as per MTC15(9) 3. YLCA Guide to CIL – Noted 4. YLCA Training Programme – Cllr Bolt Proposed any newly elected Cllrs wishing to attend any training courses contact the Clerk to book using delegated powers to a maximum of 2 members per course and reimbursement of reasonable travel costs Cllr Guy Seconded Vote: All in favour 5. Friends of Mirfield Library Minutes – Noted
MTC17/2019	<p><u>MATTERS FOR REPORT AND INFORMATION:</u></p> <p>Members wishing to raise items under this heading should consult the Chairman prior to the meeting. Clerk to invite Health Centre to a future meeting to discuss updates and any issues they may have.</p>

MTC18/2019	<u>THE DATE OF THE NEXT FULL COUNCIL MEETING:</u> Tuesday 4 th June 2019 Time Meeting Closed:9.00pm.....
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