

MELTHAM TOWN COUNCIL

MINUTES OF THE COUNCIL MEETING HELD ON MONDAY 9 JULY 2018

Present: Councillor Haigh (Chair), Councillor Bampton, Councillor Holroyd- Doveton, Councillor Keighley, Councillor Lyons, Councillor Noon, and Councillor Wrathall.

PUBLIC SESSION: Before the formal start of the meeting the Chair expressed the Council's sorrow at the sudden recent death of Mr. Melvyn Gibson. The Chair paid tribute to the work that Mr. Gibson had done for the local community both in terms of the Greenway and the Skate Park. The Council then held a minute's silence in memory of Mr. Gibson.

One member of the public (a volunteer with Meltham memories) had attended regarding item 17 the grant application from Meltham Memories.

18/130 NOTICE OF THE MEETING

Taken as read.

18/131 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Brook, Councillor Buchanan, Councillor Butterfield, Councillor Maxfield and Councillor White.

18/132 DECLARATION OF INTEREST

There were no declarations of interest.

18/133 ADMISSION TO THE PUBLIC

RESOLVED: That item 19 to discuss proposals for the future of the Town Hall be part held in private as it would divulge commercially sensitive / confidential information.

RESOLVED: That item 23 report and recommendations from Personnel Committee be held in private as it would divulge personal / confidential information.

RESOLVED: To amend the order of the agenda to deal with Agenda Item 17 the grant application from Meltham Memories next thereafter the original order of the agenda would resume.

18/134 MELTHAM MEMORIES GRANT APPLICATION

Councillors considered a Community Projects fund grant application in the sum of £3450 from Meltham Memories towards the rental of two marquees in 2019, insurance for additional areas, sandbags, flag holders and increased signage. Councillor Noon explained that the organisation would like the grant in two parts. A grant of £1300 this year for the purchase of flag holders and flag poles. With remainder in the next financial year to meet the increased costs of laying on the event. The volunteer who had attended spoke in support of the application. A discussion took place regarding the financial position of the organisation applying for the grant and the beneficial impact the Meltham Memories event has on the Town. Some councillors suggested that the item should be deferred until this year's accounts were available whilst other supported the proposals and by a majority it was

RESOLVED: That the Community Projects fund grant application in the total sum of £3450 from Meltham Memories be approved. The grant to be awarded in two stages, £1300 this financial year towards the purchase of flag holders and flag poles

with the remainder next financial year towards the rental of two marquees in 2019, insurance for additional areas, sandbags, and increased signage.

18/135 MINUTES

It was proposed by Councillor Lyons and seconded by Councillor Noon and

RESOLVED: That the Minutes of the Annual Council Meeting held on the 14 May 2018 Council Meeting be approved.

It was proposed by Councillor Noon and seconded by Councillor Bampton and

RESOLVED: That the Minutes of the Extra Ordinary Council Meeting held on the 4 June 2018 be approved.

18/136 MINUTES OF COMMITTEES

It was proposed by Councillor Wrathall and seconded by Councillor Bampton and

RESOLVED: That the Minutes of the Planning Environmental and General Purposes Committee held on the 14 May 2018 be approved.

RESOLVED: That the approval of the Minutes of the Planning Environmental and General Purposes Committee held on the 4 June 2018 be deferred until the next Council meeting

RESOLVED: That the approval of the Minutes of the Planning Environmental and General Purposes Committee held on the 25 June 2018 be deferred until the next Council meeting

It was proposed by Councillor Wrathall and seconded by Councillor Noon and

RESOLVED: That the Minutes of the Properties, Administration and Finance Committee held on the 11 June 2018 be approved.

It was proposed by Councillor Noon and seconded by Councillor Bampton and

RESOLVED: That the Minutes of the Personnel Committee held on the 3 July 2018 be approved.

18/137 COMMITTEES

Councillor Keighley had expressed an interest in joining the Properties, Administration and Finance Committee which would bring the membership to 6.

RESOLVED: That Councillor Keighley would join the membership if the Properties Administration and Finance Committee bringing the membership to 6

18/138 POORS ALLOTMENT LEASE

Councillors considered a request from the current tenant to give 6 weeks' notice and noted that technically as per the tenancy agreement the tenant was renting the land for 3 years until 2020. It was further noted that it was therefore at the discretion of the Council as to whether the Council was prepared to accept notice at this point. Councillors further considered the personal circumstances surrounding this matter and the demand for grazing and it was suggested it was reasonable to release the tenant from the lease. The Clerk reported on the advice received from the Council's valuers in this matter regarding options and risks.

RESOLVED: That the Clerk be authorised to instruct the council’s valuer who had dealt with the tender initially to approach the second highest tenderer to see if they were still interested, if not the Clerk be authorised to instruct the valuers to undertake a new tender exercise and that the necessary expenditure be authorised.

18/139 GENERAL POWER OF COMPETENCE

Councillors noted to be eligible to use the general power of competence the Council must meet the conditions for eligibility are set out in the Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2014.

RESOLVED: That Meltham Town Council meets the conditions for eligibility set out in the Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2014 and is eligible as a result to use the General Power of Competence (Section 1 Localism Act 2011). As at the 9 July 2018 at least two thirds of the members of the council hold office as a result of being declared elected and the clerk holds an eligible qualification (the Certificate in Local Council Administration (CiLCA)).

It was noted that a further resolution must then be passed at every subsequent “relevant annual meeting” for the council to be able to continue to lawfully exercise the power.

18/140 TRAINING FOR COUNCILLORS

There were no requests to attend the training sessions provided by YALC.

18/141 EQUALITY POLICY

Councillors considered the Equality Policy drafted by the Clerk and resolved to adopt the policy.

RESOLVED: That the Equality Policy circulated with the agenda be adopted.

18/142 TRAINING AND GOVERNANCE FOR DEFIBRILLATOR

The Clerk reiterated the need for the Council to have appropriate and sufficient training and governance arrangements in place regarding the defibrillator unit. It was agreed to contact the Yorkshire Ambulance Service for clarification as Councillor Noon suggested that they may take responsibility for maintenance and governance of the unit. Councillor Noon also informed councillors that the training sessions for the defibrillator were in the process of being organised.

18/143 DOG FOULING FEEDBACK FROM MEETING WITH KIRKLEES COUNCIL

It was noted that Planning Committee had considered this at its meeting on the 30 April 2018 and recommended that the feedback should be provided to Council for a discussion on possible courses of action. The Clerk informed Councillors that she had attended a meeting with Kirklees Council along with Councillors Maxfield and Bampton to discuss the issue of dog fouling in Meltham. The Clerk reported that Kirklees dog fouling enforcement activity was all intelligence led – i.e. the limited resources were targeted at areas where dog fouling was reported as a problem but also where Kirklees were provided with information such as when the issues were occurring or information about possible culprits. Kirklees confirmed that they needed hard data not just pictures of dog excrement which did not provide intelligence that they could use to target their operations. The Clerk said that Kirklees Council can provide Councillors (or potentially others in the community) with statement books and training. Basically, this allows the gathering of evidence which may be enough for Kirklees to issue a fixed penalty notice. The Clerk said there may be an option to buy into the services provided by Kirklees Council including the environmental ranger services who issue fixed penalty notices for dog fouling and other services. The Kirklees officer suggested penalties whilst effective did not really

change people's behaviour and had mentioned a scheme elsewhere which relied on positive reinforcement and had had excellent results in reducing dog fouling. There was also a suggestion that the provision of dog bags did little to reduce the problem and questioned whether the money could be better utilised. Kirklees Council have stopped providing bags in many locations. It was suggested that an article in Mercury setting out the evidence that Kirklees need in order to take targeted enforcement action would be a good idea.

18/144 COPING STONES GREEN END PARK

Councillors noted that the Councils contractor had undertaken some maintenance work in Greens End Park authorised by the Councils Planning Committee. Councillors considered a request by the Contractor to replace the stolen coping stones on the boundary wall. The contractor had suggested that about 5 yards of coping stones needed replacement at a cost of approximately £60.00 plus labour. It is proposed that the stones would not be replaced with York stone to reduce the risk of further theft.

RESOLVED: That the Council approved the replacement of the stolen coping stones on the boundary wall of Greens End Park at a cost of approximately £60.00 plus labour and approved the necessary expenditure.

18/145 PROPOSED CAR PARKING CHARGES IN MELTHAM AND RELATED MATTERS

It was noted that Councillors considered this matter on the 26 March 2018 but at that time no further information was available. It was reported that there were still no firm proposals in place. Councillors considered the impact charges could have on Meltham and discussed possible steps that the Town Council could take including approaching Kirklees Council about taking ownership or a long lease of the car park which would allow the Town Council to determine any charges. However, it was also acknowledged that acquisition in advance of knowing the outcome of the proposals for parking charges by Kirklees Council would be a risk. It was further suggested that the car park should be nominated as an asset of community value. The Clerk was instructed to speak to Kirklees Council about these issues.

RESOLVED: That the Clerk should approach Kirklees Council to discuss the possibility of taking ownership or a long lease of the car park and that the car park should be nominated as an asset of community value.

18/146 USE OF THE TOWN ENHANCEMENT FUND FOR HANGING BASKETS

Councillors considered a request to use of the Town Enhancement Fund to purchase 10 or 12 hanging baskets from local florists. Councillor Noon had obtained quotes from a local florist of £30.00 per basket. Councillor Noon said that the necessary brackets were in place. A discussion took place about where they should be sited and arrangements for caring for them/ watering and storage at the end of each summer season. Councillor Noon said he would discuss this with the Clerk. It was also suggested that this item should be placed on a spring agenda of the Planning Committee each year to ensure the baskets were in place for the summer season.

RESOLVED: To approve the expenditure for the purchase of 10 to 12 hanging baskets from a local florist at a cost of £30.00 per basket.

18/147 CIVIC BUDGET

Councillors considered the adequacy of the current civic budget given the rising costs of catering. The Clerk further reported that it appeared as if the Chairman's allowance had been rolled in with the civic budget to cover the costs of the reception and civic Sunday.

RESOLVED: To increase the budget by £250.00

18/148 TOWN HALL UPDATE

Councillors received an update on the proposed acquisition of the Town Hall and the possible lease arrangements. Councillors had been provided with a copy of the current risk assessment for the project in advance of the meeting.

Councillors noted that the without prejudice informal offer made to Kirklees Council for the purchase of the Town Hall in the sum of £100,000.00 based on the valuation obtained by Bramleys had been accepted. The Clerk suggested that the Council needed to pass a resolution confirming and authorising the formal offer to Kirklees Council for the purchase of the Town Hall in the sum of £100,000.00 based on the valuation obtained by the Town Council.

RESOLVED: That the Council confirms and authorises the formal offer to Kirklees Council for the purchase of the Town Hall in the sum of £100,000.00 based on the valuation obtained by the Town Council.

It was suggested that the Council now authorise the Council's solicitors to proceed with the legal steps necessary to progress the purchase of the Town Hall, and to provide a draft agreement and draft lease for consideration by the Council based on the Heads of Terms previously circulated and ongoing negotiations with the council's partner.

RESOLVED: That the Council's solicitors be instructed to proceed with the legal steps necessary to purchase of the Town Hall, and to provide a draft agreement and draft lease (in respect of the disposal) for consideration by the Council based on the Heads of Terms previously circulated and ongoing negotiations with the councils partner.

Clarification was sought on whether the offer was binding as any purchase was conditional on having the appropriate lease arrangements in place with the Councils partner. It was confirmed that purchase was only binding on exchange of contracts and it was noted that the agreement / lease with the Councils partner would therefore need to take effect concurrently on exchange of contracts.

RESOLVED: That the Council enter into formal negotiations with the council's partner to agree the Heads of Terms on which any lease / agreement would be based.

18/149 EVENT IN THE PARK / REFURBISHMENT OF CHILDREN'S PLAY AREA

Councillors considered whether the state of the older children's play area required more immediate works which should not be deferred until the event in the park next summer.

Councillor Noon reported that he had had an initial meeting with some users of the park, who were very enthusiastic. He was meeting them again later this year and would bring feedback back to Council at the October Council meeting.

RESOLVED: To defer a request from the Councils contractor to brighten up the wooden fenced park play area with brightly coloured dinosaur shapes to the next PAF meeting

RESOLVED: To defer the consideration of the costs of painting the metal upright supports surrounding the tennis courts which would improve both the appearance and longevity of the structure matter to the next PAF meeting.

18/150 USE OF COMMON SEAL

Councillors noted that it appeared that the Council may have a common seal and considered the implications of this regarding the execution of deeds. Councillors determined that moving forward it was not necessary to use the common seal and that instead documents should be executed by signing and sealing by two members of the council and witnessed by the proper officer of the council. Councillors also approved any necessary changes to the Councils Standing Orders.

RESOLVED: That forthwith documents should be executed by signing and sealing by two members of the council and witnessed by the proper officer of the Council and that any necessary changes to the Councils Standing Orders be authorised.

18/151 DATA PROTECTION LEGISLATION / GDPR

Councillors considered the adoption of the records management policy circulated with the agenda.

RESOLVED: That the records management policy circulate with the agenda be approved and adopted.

Councillors considered the quote received for the GDPR compliant removal and destruction of personal / confidential waste produced by the Council. The Clerk reported that the company had been recommended as delivering excellent value for money by another Local Councils following their own quotation process. Councillors noted the works already carried out in respect of the paper legacy records.

RESOLVED: That the quote received for the GDPR compliant removal and destruction of personal / confidential waste circulated with the agenda be approved and that the necessary expenditure be authorised.

Councillors received a verbal report on the situation with the Councils CCTV contractor and the renegotiation of the CCTV contract required by the legislation

18/152 REPORT AND RECOMMENDATIONS FROM PERSONNEL COMMITTEE

Councillors considered a verbal report from the Chair of the Personnel Committee addressing the specific recommendations of the Committee in more detail and reporting back to Council on any personnel issues. Councillors considered a number of formal recommendations from the Personnel Committee namely:

That the National Joint Council for Local Government Service (NJC) National Salary Award be implemented and backdated to 1 April 2018 and it was

RESOLVED: That the National Joint Council for Local Government Service (NJC) National Salary Award be implemented and backdated to 1 April 2018

That the Council agree a new hourly rate for one of the Council's contractors (based on the Clerks calculations and discussions with the contractor) with effect from the 1 July 2018 and it was

RESOLVED: That the Council agree a new hourly rate for one of the Council's contractors (based on the Clerks calculations and discussions with the contractor) with effect from the 1 July 2018

That following a review as required under the Committees terms of reference the Clerk's salary be set at SCP 38 on the National Joint Council for Local Government Service (NJC) pay scale and it was

RESOLVED: That following a review as required under the Personnel Committees terms of reference the Clerk's salary be set at SCP 38 on the National Joint Council for Local Government Service (NJC) pay scale with immediate effect

18/153 EXCLUSION OF PUBLIC AND PRESS:

Pursuant to section 1 (2) of the Public Bodies (Admission to Meetings) Act 1960 it is resolved that, because of the confidential nature of the business to be transacted, the public and the press leave the meeting during consideration of the following: -
As determined under Agenda Item 4.