



Town Hall | 61 Newland Street | Witham | CM8 2FE  
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witham.gov.uk

## AGENDA

Meeting of: **Town Council**

Date: **Monday, 13<sup>th</sup> January 2020** Time: **7.30 p.m.**

Place: **Town Hall, 61 Newland Street, Witham.**

**Members are hereby summoned to attend the above Meeting to transact the following business. Members are respectfully reminded that each item on the Agenda should be carefully examined. If you have any interest, it must be duly declared.**

To be present:	Councillors	Mrs	S.C.	Lager	(Town Mayor)
			R.P.	Ramage	(Deputy Town Mayor)
		Mrs	S.	Ager	
			K.L.	Atwill	
			P.R.	Barlow	
			J.C.	Bayford	
			J.C.	Goodman	
			S.E.	Hicks	
		Miss	C.	Jay	
		Mrs	A.	Kilmartin	
			M.C.M.	Lager	
			C.S.	Livermore	
			T.A.	Pleasance	
			P.M.	Ryland	
		Miss	M.L.	Weeks	
			R.	Williams	

### 1. APOLOGIES

To receive apologies for absence.

### 2. MINUTES

To receive the Minutes of the Meeting of the Town Council held 28<sup>th</sup> October 2019 (previously circulated).

**3. INTERESTS**

To receive any declarations of interests that Members may wish to give notice of on matters pertaining to any item on this Agenda.

**4. QUESTIONS AND STATEMENTS FROM THE PUBLIC**

An opportunity to enable members of the press and public present to comment upon any item on the Agenda.

**5. ESSEX COUNTY AND BRAINTREE DISTRICT COUNCIL UPDATE**

To receive reports from Essex County and Braintree District Councillors on matters relating to Witham.

**6. TOWN CLERK'S REPORT**

To receive a verbal report from the Town Clerk on matters arising.

**7. COMMITTEE STRUCTURE**

To receive details of the agreed membership of Committees ([attached](#) at page 4).

**8. STRENGTHENING POLICE POWERS TO TACKLE UNAUTHORISED ENCAMPMENTS**

To receive the Home Office consultation (sent separately) and questionnaire from the National Association of Local Councils ([attached](#) at page 6).

**9. SIGNATORIES**

To approve Councillor K.L. Atwill becoming a Town Council signatory as per recommendation of the Finance Scrutiny Panel.

**10. TOWN MAYOR'S ENGAGEMENTS**

To receive details of the Town Mayor's engagements ([attached](#) at page 10).

**11. COMMITTEE REPORTS**

**(a) Community Committee Meeting held 25<sup>th</sup> November 2019**

Minutes 60 – 79 (inclusive).

**(b) Environment Committee Meeting held 11<sup>th</sup> November 2019**

Minutes 52 – 68 (inclusive).

**(c) Policy and Resources Committee Meeting held 9<sup>th</sup> December 2019**

Minutes 61 – 68 (inclusive).

**EXCLUSION OF THE PRESS AND PUBLIC**

**TO RESOLVE** That under the Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the Meeting for the following items of business on the grounds that publicity would be prejudicial to the public interest.

**12. COMMITTEE REPORT (Continued)**

**(a) Environment Committee Meeting held 11<sup>th</sup> November 2019**

Minutes 69 and 70.

**Minute 69 – James Cooke Wood**

To receive a recommendation from the Environment Committee (attached at page 13).

**(b) Policy and Resources Committee Meeting held 9<sup>th</sup> December 2019**

Minutes 70 and 71.

**13. PUBLIC DOMAIN**

To consider whether the items discussed in Private Session could be moved into the Public Domain.



James Sheehy  
Town Clerk

JS/GK/7.1.2020

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## Proposed Membership of Committees

### Community Committee (11 + 1)

Councillors		K.L.	Atwill	
		P.R.	Barlow	
		J.C.	Bayford	(Vice Chairman)
		J.C.	Goodman	
	Miss	C.	Jay	
		M.C.M.	Lager	(ex-officio)
	Mrs	S.C.	Lager	
		C.S.	Livermore	
		T.A.	Pleasance	
		R.P.	Ramage	(Chairman)
	Miss	M.	Weeks	
		R.	Williams	

### Environment Committee (11 + 1)

Councillors	Mrs	S.A.	Ager	
		K.L.	Atwill	
		J.C.	Bayford	
		J.C.	Goodman	(Vice Chairman)
		S.E.	Hicks	
	Miss	C.	Jay	
	Mrs	A.	Kilmartin	
		M.C.M.	Lager	(ex-officio)
	Mrs	S.C.	Lager	
		C.S.	Livermore	
		T.A.	Pleasance	(Chairman)
		R.	Williams	

### Policy and Resources Committee (9 + 1)

Councillors	Mrs	S.	Ager	
		K.L.	Atwill	
		J.C.	Goodman	
		S.E.	Hicks	
	Mrs	A.	Kilmartin	
		M.C.M.	Lager	(Chairman and ex-officio)
		T.A.	Pleasance	
		R.P.	Ramage	
	Miss	M.L.	Weeks	
		R.	Williams	(Vice Chairman)

Planning Applications and Transport Committee (9 + 1)

Councillors	Mrs	S.	Ager	
		P.R.	Barlow	
		J.C.	Goodman	(Chairman)
		S.E.	Hicks	
	Miss	C.	Jay	
	Mrs	A.	Kilmartin	(Vice Chairman)
		M.C.M.	Lager	(ex-officio)
	Mrs	S.C.	Lager	
		C.S.	Livermore	
		P.M.	Ryland	

Staffing and Accommodation Sub-Committee (5 + 1)

Councillors		P.R.	Barlow	
		R.P.	Ramage	
		M.C.M.	Lager	(Chairman and ex-officio)
		T.A.	Pleasance	
	Miss	M.	Weeks	
		R.	Williams	(Vice Chairman)

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19 NOVEMBER 2019

## PC13-19 | STRENGTHENING POLICE POWERS TO TACKLE UNAUTHORISED ENCAMPMENTS

### Summary

The Home Office has issued a new consultation on strengthening police powers to tackle unauthorised encampments. The consultation covers criminalising the act of trespassing, broadening the existing categories of criminal trespass and broadening police powers to deal with trespassers. The main consultation document can be found [here](#).

### Context

The government previously consulted on unauthorised developments and encampments in April 2018. Responses to this made clear that significant problems are created by many unauthorised encampments, including the sense of unease and intimidation residents feel when an unauthorised encampment occurs, the frustration at not being able to access amenities, public land and business premises, and the waste and cost that is left once the encampment has moved on.

The government also heard compelling evidence that stronger powers are needed to address the issues and concerns identified and that the majority of respondents believe the government should consider criminalising unauthorised encampments in England and Wales, by creating an offence of trespassing when setting up an unauthorised encampment. The government would now like to test the appetite to go further and broaden the existing categories of criminal trespass.

### NALC's views

NALC is minded to use points made in response to the April 2018 consultation, as a steer to guide our new response. These include:

- All cases of unauthorised encampments should be criminalised on account of trespassing
- The police should have the power to direct trespassers to leave land as soon as it has been determined that they are there illegally
- The police should be able to take action regardless of the number of vehicles in the unauthorised encampment

- Principal authorities should have the power to demand the police attend as soon as an unauthorised encampment appears and to claim back costs incurred repairing damage caused by clearing up after unauthorised encampments

#### Consultation questions

NALC will be responding to the below consultation questions and is interested in the sector's views:

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

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

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

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

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

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

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

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

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

Yes / No

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

Yes / No If yes, what distance should that be?

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

Yes / No

If yes, what should these be?

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

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



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

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;

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

or iii) Anyone convicted of trespassing on land with the purpose of residing on it?

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

Q18. Do you have any other comments to make on the issue of unauthorised encampments not specifically addressed by any of the questions above?

Your views

Please email your responses to this consultation to [Jessica.Lancod-Frost@nalc.gov.uk](mailto:Jessica.Lancod-Frost@nalc.gov.uk) by 17.00 on 19 February 2019. County associations are asked to forward this briefing onto all member councils in their area.

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**LIST OF MAYORAL ENGAGEMENTS  
COUNCILLOR MRS CLARE LAGER  
29 OCTOBER 2019 TO 13 JANUARY 2020**

<b>Tuesday, 29 October</b>	<b>WITHAM STATION</b> Unveiled new History Board.
<b>Thursday, 31 October</b>	<b>ALZHEIMER SOCIETY</b> Attended the Singing for the Brain session at the Royal British Legion Hall.
<b>Friday, 8 November</b>	<b>GUITHAVON VALLEY EVANGELICAL CHURCH</b> Attended the Boys Brigade Presentation Evening and presented their Jack Petchey Awards.
<b>Saturday, 9 November</b>	<b>QUIZ NIGHT</b> Hosted the fund raising event at the Royal British Legion.
<b>Sunday, 10 November</b>	<b>REMEMBRANCE PARADE</b> Took part in the Parade and laid a wreath at the Service.
<b>Monday, 11 November</b>	<b>REMEMBRANCE SERVICE</b> Laid a sheath of flowers at the Service.
<b>Wednesday, 13 November</b>	<b>CITIZENS ADVICE</b> Attended the AGM of the Mayor's Charity Appeal Beneficiary.
<b>Thursday, 14 November</b>	<b>MALTINGS ACADEMY</b> Attended the Presentation Evening.
<b>Friday, 15 November -</b>	<b>COFFEE MORNING</b> Hosted a fundraising coffee morning at the Town Hall.
<b>Friday, 15 November -</b>	<b>ACTION FOR FAMILY CARERS</b> Attended a Quiz in aid of Action for Family Carers in Maldon.
<b>Thursday, 21 November</b>	<b>FARLEIGH HOSPICE</b> Gave a reading at the Light up a Life Service in the Grove Centre.
<b>Sunday, 24 November</b>	<b>WITHAM LIBRARY</b> Attended the Silver Cinema.
<b>Thursday 28 November</b>	<b>HOWBRIDGE JUNIOR SCHOOL</b> Judged the Jam Jar Competition and attended class assembly.

<b>Friday, 29 November</b>	<b>HOWBRIDGE JUNIOR SCHOOL</b> Presented Prizes to the winners of the Jam Jar Competition and attended the school fete.
<b>Saturday, 30 November</b>	<b>DICKENSIAN CHRISTMAS MARKET</b> Officially opened the market, judged the stalls and worked on the Town Council Stall.
<b>Saturday, 30 November</b>	<b>SWITCH ON OF THE CHRISTMAS LIGHTS</b> Attended the Switch on.
<b>Wednesday, 4 December</b>	<b>WINDOW COMPETITION</b> Judged the Christmas Window Competition.
<b>Wednesday, 4 December</b>	<b>HALSTEAD TOWN MAYOR</b> Took part in the Halstead Torchlight Procession and attended the Halstead Mayor's Reception.
<b>Thursday, 5 December</b>	<b>TREE PLANTING</b> Attended the tree planting at Bramble/Honeysuckle Road in memory of the men who gave their lives in the First World War.
<b>Thursday, 5 December</b>	<b>SENIORS CHRISTMAS PARTY</b> Attended the Rotary Christmas Party at the United Reformed Church.
<b>Friday, 6 December</b>	<b>WITHAM INDUSTRIAL WATCH</b> Attended the Board Members Meeting.
<b>Saturday, 7 December</b>	<b>CHRISTMAS TREE FESTIVAL</b> Took part in the tree festival at St Nicolas Church.
<b>Saturday, 7 December</b>	<b>THE GROVE CENTRE</b> Visited the 41 Club's Santa and Sleigh.
<b>Monday, 9 December</b>	<b>WITHAM COMMUNITY SINGERS</b> Attended their Around the World Christmas Concert at the United Reformed Church.
<b>Tuesday, 10 December</b>	<b>MAGAZINE INTERVIEW</b> Had an interview at the Town Hall with Matthew Hemmings for the Community Ad Magazine coming to Witham.
<b>Tuesday, 10 December</b>	<b>WITHAM CHORAL SOCIETY</b> Attended the United Reformed Church for their Carol Service.
<b>Wednesday, 11 December</b>	<b>WITHAM LUNCH CLUB</b> Had Christmas Lunch with the Members of the Lunch Club.

**Wednesday, 11 December**     **CAROL SERVICE**  
Welcomed people to the Town Council's Carol Service and did a Reading

**Friday, 13 December**     **SENIORS' CHRISTMAS LUNCH**  
Hosted the Christmas Lunch with the Mayor in the Function Room of the Town Hall.

**Saturday, 14 December**     **ST PETERS CHURCH, BOCKING**  
Attended the Service of the Priory of England and the Island of the Most Venerable Order of the Hospital of St John of Jerusalem Carol Service and Awards Ceremony.

**Tuesday, 17 December**     **DANCING WITH DEMENTIA**  
Attended this event at the Hub.

**Tuesday, 17 December**     **MAYOR'S EVENING RECEPTION**  
Hosted this event in the Function Room of the Town Hall.

**COUNCILLOR RON RAMAGE**  
**29 OCTOBER 2019 TO 13 JANUARY 2020**

**Thursday, 14 November**     **MALTINGS ACADEMY**  
Attended the Presentation Evening.

**Sunday, 8 December**     **BRAINTREE BAPIST CHURCH**  
Attended the Friends of Braintree Hospital Carols Round the Tree.

**COUNCILLOR TOM PLEASANCE**  
**DEPUTISING FOR THE MAYOR'S DEPUTY**

**Monday, 9 December**     **WITHAM LUNCH CLUB**  
Had Christmas Lunch with the Members of the Lunch Club in place of the Deputy Mayor.

**COUNCILLOR JOHN GOODMAN**  
**DEPUTISING FOR THE MAYOR'S DEPUTY**

**Wednesday, 11 December**     **CAROL SERVICE**  
Stepped in and did the Deputy Mayor's Reading.

**Friday, 13 December**     **SENIORS' CHRISTMAS LUNCH**  
Attended the Christmas Lunch with the Mayor in the Function Room of the Town Hall in place of the Deputy Mayor.

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