

ST CLEER PARISH COUNCIL

NOTICE is hereby given that a Meeting of the Parish will be held on Wednesday 22ND January 2020 at 7.15pm in the Council Sports Pavilion, Hockings House, St Cleer to which members are summoned to attend.



AGENDA

1	Apologies for absence <ul style="list-style-type: none">• Resignation of Councillor	
2	Members declarations <ol style="list-style-type: none">a. Disclosable pecuniary interestsb. Non-registrable interestsc. Declarations of giftsd. Applications for dispensations	
3	Close the meeting to allow up to 15 minutes for public questions then Correspondence: <ul style="list-style-type: none">• Complaint about litter at St Cleer Layby• Report to Cornwall about broken footpath sign	
4	Reopen the meeting (public may only contribute on invitation)	
5	Minutes of Previous Parish Council meeting To receive and approve minutes of the last meeting(s) <ul style="list-style-type: none">• 18th December• 8th January 2019 Estates (to Note) Report of meetings attended on behalf of the Parish Council <ul style="list-style-type: none">• CU and ME at Penhale / Reforestation• Training for Councillors	
6	Matters Arising <ul style="list-style-type: none">• PA19/10198 (delegated to Estates)• HSBC – Further £30 refund received• Unity Bank changes enacted• Information to electors on agenda more explicit• Skate Park Tender• FA Funding for the MUGA	
7	Update from Cornwall Council	ME
8	Travellers Consultation - Appended	
9	St Cleer Stocks - Appended	
10	Planning Applications since the last meeting (additional applications received prior to the meeting will be added to this list) (None noted on 17.1.20)	Zip files will be available at the meeting

11	<p>Update from Estates: (Minutes circulated)</p> <p>Tree Warden</p> <p>Motion 1 Re:Imagining St Cleer</p> <p>Motion 2 EMR and Reserves spend to implement the PIP report</p> <p>Motion 3 Managing perceived speeding in St Cleer</p> <p>(all Motions are appended to the Estates Minutes and published on the St Cleer Website)</p> <p>Final Specification for pre agreed Mobile Speed Camera</p>	
12	<p>APM Arrangements – Motion Appended</p>	
13	<p>Finance</p> <ul style="list-style-type: none"> • YTD figures (Circulated) • Reconciliation (Circulated) • Transactions: 	

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 by 17.00 on 19 February 2019. County associations are asked to forward this briefing onto all member councils in their area.

© NALC 2019

The Clerk to St Cleer Parish Council

Dear Roni

The Stocks

At the St Cleer Church PCC meeting yesterday evening it was confirmed that a PCC resolution had been passed confirming that the ownership of the stocks is with the Parish Council.

I enclose two copies of confirmation of this for our respective records, signed by the Revd Becca Bell. Can you please arrange for the forms to be signed on behalf of the Parish Council. Please insert the name of the person signing between the pencil crosses with the signature on the line below.

Please keep one copy for your records. As I mentioned earlier, I can arrange to collect the PCC copy from your Chairman.

If the Parish Council is willing to loan the stocks to the Museum, there will be paperwork to complete. I enclose the Museum's Object Entry Form in triplicate. Can the relevant person please sign under Reason for Entry. I have signed on behalf of the Museum. The usual loan period is 12 months but it can be less if you wish and can be extended for a further period. Please keep the pink copy for your records.

Also (sorry about this!) there is a Loan-in Agreement which sets out more information. Could you please indicate whether you would like the Parish Council acknowledged on any labels or publicity? There has been a sign by the stocks with a brief history saying that they were loaned by the PCC. A new sign can easily be prepared.

Will you please arrange for the form to be signed and the name printed. You may want to copy this for your records. If possible, can you please return the Museum forms to the Museum in Pike Street, Liskeard – in the same building as the Tourist Information Centre. The Loan-in Terms and Conditions are for you to keep.

I have dated all the paperwork the 1 October 2019 for simplicity.

As I am about to go away for 3 weeks I suggest that if you have any questions for the Museum then you contact the Coordinator, Karen Partington.

Many thanks for your help.

Yours sincerely,

St Cleer Parish Council

APM Arrangements

Date of Document:	13.1.20
Committee / Sub Committee the motion is intended for:	Parish
Date of that Meeting:	22.1.20
Proposer:	
Seconder:	

Situation: Community Engagement is an increasing feature of the parish and the ongoing lack of elector engagement in Parish life (save for controversial planning applications) is low.
Background: To increase interest and engagement from the local community it is timely to review arrangements for the Annual Parish Meeting. The APM is a meeting called by the Chair to allow for any elector to ask for and comment upon Parish matters.
Assessment: In recent years the APM has been a short meeting prior to the May Parish and has been potentially underwhelming.
Proposed Motion: <ol style="list-style-type: none">1 Separate the APM and the Annual Parish Council Meeting / May Parish2 Invite an interesting / controversial speaker to the APM3 Offer refreshments and an open surgery for electors to meet and greet Councillors4 After the speaker have a short presentation on the purpose of the APM; i.e. offer explanation5 Allow for free flow of communication NB: It may take more than one year of this approach to yield impact
Date received:
Action taken or motion rejected (under SO9h):
Signature of Clerk / Officer receiving the motion: