

WHITEHAVEN TOWN COUNCIL

Minutes of the Council Meeting held on 27th September 2018

Present: Councillors G Roberts (Chairman); J Forster; R Gill; C Hayes; J Kane; C Maudling; B O’Kane; J Rayson

M. Jewell, Clerk and Responsible Financial Officer

V Gorley, Trainee Assistant Town Clerk

Members of the Public

Steve Murphy from West Cumbria Guide

Mr Todd and Mr Eilbeck from Whitehaven RLFC

1086/18 Apologies For Absence

Apologies for absence were received from Councillor Lowrey and Councillor Poland

1087/18 Declarations of Interest

Councillor Maudling and Councillor O’Kane declared that they were members of CBC’s Planning Panel.

1088/18 Minutes of the Council Meeting held on 30th August 2018

The Clerk referred to Minute 1061/18 and apologised that the resolution was missing and asked that the Minute be amended to include the following :-
“Councillor Gill proposed that the Audit and Governance Reports be approved and noted and that they be attached to the Minutes and this was seconded by Councillor Kane

RESOLVED – That the Audit and Governance Reports be approved and noted and attached to the Minutes”.

Councillor Gill proposed that the Minutes be approved and signed by the Chairman as a correct record subject to the amendment to Minute 1061/18 above and this was seconded by Councillor Kane

RESOLVED – That the Minutes be approved and signed by the Chairman as a correct record subject to the amendment to Minute 1061/18.



1089/18 **Minutes of the Extraordinary Council Meeting held on 17th September 2018**

It was proposed by Councillor Gill and seconded by Councillor O’Kane that the Minutes be approved and signed by the Chairman as a correct record.

RESOLVED – That the Minutes be approved and signed by the Chairman as a correct record

1090/18 **Public Participation**

Over 30 members of the public attended to speak about their objections to a planning application no CH/4/18/2347/001 for nine self build plots on land to the west of Casa Mia, Harras Road Whitehaven. Five people spoke regarding their objections to the application which broadly fell into the following categories:-

- Traffic and Road Safety
- Drainage/flooding
- Potential subsidence from mine shafts or works
- Loss of habitat for wildlife
- Potential extension of the proposed development

Documents were handed to the Clerk containing the details of the objections

1091/18 **Planning Applications**

The Council considered a report on planning applications received and shown at Appendix 1.

- (i) Planning Application CH/4/18/2347/001 – Nine serviced self-build plots on land to the west of Casa Mia, Harras Road, Whitehaven.
The Council considered this application and also considered the objections they had heard from members of the public. It was proposed by Councillor Kane and seconded by Councillor Hayes that the Council object to this application on the above grounds and inform CBC Planning Department of this and that Councillor Kane and Councillor Hayes work together to represent the residents’ views at the CBC Planning Panel.

RESOLVED – (a) That the Council object to this planning applications and inform CBC Planning Department of this.

- (b) That Councillor Kane and Councillor Hayes work together to represent the resident’s views at CBC Planning Panel.

- (ii) Planning Application CH/4/18/2358/0F1 – Temporary permission for car

parking in association with park and ride scheme at Whitehaven Golf Club, Red Lonning, Whitehaven.

It was proposed by Councillor Rayson and seconded by Councillor Forster that the application be objected to because of the level of traffic and the number of schoolchildren and other members of the public who walk along the road.

RESOLVED – That the Council objects to the application because of the level of traffic and the number of children and other members of the public who walk along the road and that CBC Planning Department be informed accordingly.

- (iii) Planning Application CH/4/18/2396/0F1 – Development of derelict site for a beer garden with associated works for use in association with JD Wetherspoons Bar 5 Bransty Row, Whitehaven.

Councillor Roberts said he had been approached by three residents who objected to this application because of the noise at all times that would be generated, traffic congestion on a narrow road where cars are already parked and where children walk up and down to the nearby school.

It was proposed by Councillor Roberts and seconded by Councillor Kane that consideration of the matter be deferred for further information

RESOLVED – That consideration of the matter be deferred for further Information.

- (iv) Planning Application 4/17/9001 – Proposed new build 60 no. care home with associated car parking and landscaping.

It was proposed by Councillor Forster and seconded by Councillor Roberts that provided CCC has put a road traffic order in place for the access to this development that no representations be made.

RESOLVED – That provided CCC has put a road traffic order in place for the access to this development no representations be made.

- (v) The Council had no representations/objections on any of the other planning Applications and it was

RESOLVED – That the Council had no representations/objections to make on the remainder of the planning applications contained in Schedule 1 and that CBC Planning Department be informed accordingly.

1092/18 Financial Report

The Council considered a Financial Report. The Trainee Assistant Town Clerk reported that three more invoices had been received :-

- CBC - £80 for an uncontested election
- CBC - £7683 for the Kells by-election

- PFK Littlejohn - £960 for Annual Audit

(i) It was proposed by Councillor Gill and seconded by Councillor Hayes that the invoices shown at Appendix 1 plus the three extra invoices be approved and paid.

RESOLVED – That the invoices shown at Appendix 1 including the three extra invoices be approved and paid.

(ii) The Council considered Appendices 2 and 3 relating to the Cashbook and Income and Expenditure.

It was proposed by Councillor Gill and seconded by Councillor Maudling that Appendices 2 and 3 be approved and noted.

RESOLVED – That the Cash Book and Income and Expenditure shown at Appendices 2 and 3 be approved and noted

1093/18 Update on Annual Return for 2017/2018

The Clerk referred to the email and attachments which had been received from PFK Littlejohn (external Auditors) that day and which had been emailed to all Councillors. This was in completion of the Annual Audit for 2017/18.

The External Auditors Report stated that the Annual Return was in accordance with proper practices and there were no issues arising from it and this was certified by the External Auditors. The Clerk said that Notice of the completion of the Annual Audit would now be published.

Councillor O’Kane said he wanted to congratulate the Clerk and the Trainee Assistant Clerk for all the excellent work they had done.

It was proposed by Councillor Gill and seconded by Councillor O’Kane that the completion of the Audit for 2017/18 be approved and noted and be published accordingly.

RESOLVED – That the completion of the Audit for 2017/18 be approved and noted and it be published accordingly.

1094/18 Casual Vacancy

Further to Minute 1080/18 the Clerk reported that the Notice for the Co-option of a Town Councillor for Mirehouse Ward had been advertised with a closing date of 4.00pm on 9th October 2018 and the applications to be heard by Council on 18th October 2018 at 6.00pm.

The Clerk also reported that CALC had advised that the co-option policy should not be amended to state that all votes be by secret ballot as the process should be open and transparent at all times.

RESOLVED – That this be approved and noted

1095/18

Recommendations from Policy and Resources and Finance Committee

The Council considered a report containing recommendations from the Policy and Resources and Finance Committee held on 25th September 2018.

The recommendations were that;-

- i. That the budget appeared to be on target but that it may be necessary to vire in the future and that Council approve and note this.
- ii. The Asset Register be approved subject to the amendments shown in red at Appendix 1
- iii. The Risk Assessment be approved
- iv. The Financial Regulations be approved

It was proposed by Councillor Gill and seconded by Councillor Hayes that the recommendations in i to iv above be approved.

RESOLVED – That the recommendations in i to iv above be approved.

1096/18

Christmas Lights Switch On Activities

The Council considered a report from Charles Maudling who was leading the external committee (called the Christmas Festivities Group) organising the Christmas lights switch on and associated festivities. The Council had a budget of £5000 for Christmas festivities and Mr Maudling was asking for funding of this amount from the Council towards the event. If this was agreed there would still be a shortfall of £940 plus an extra cost of approximately £1,000 if a road closure order had to be obtained from CCC for the event.

It was proposed by Councillor Gill and seconded by Councillor O’Kane that provided all invoices for expenditure by the external committee are produced to the Council that the £5,000 budget for Christmas festivities be allocated to the external committee and that it come back to the Council for consideration if a charge is to be made for a road closure order.

RESOLVED – That the external committee receive funding of £5,000 from the Council’s Christmas festivities budget provided that invoices for the expenditure by the external committee are produced to the Council and that the matter be referred back to the Council for consideration if a charge is to be made for a road closure order.

1097/18

Presentation on Advertising in the West Cumbria Guide

Councillor O’Kane declared an interest in this item as Steven Murphy was known to him and did not take part in the discussions or the vote

The Council listened to a presentation from Steven Murphy the Managing

Director of the West Cumbria Guide together with an email he had sent regarding fees for adverts.

It was proposed by Councillor Gill and seconded by Councillor Maudling that the Council take out a half page advert for October November and December January to cover the Christmas festivities at a cost of £996.00.

RESOLVED – That a half page advert be placed with West Cumbria Guide for October November and December January at a cost of £996.00 to advertise Christmas activities and other Town Council events.

1098/18 **Whitehaven RLFC**

Further to Minute 1064/18 the Council listened to Mr Todd and Mr Eilbeck, representatives of WRLFC who informed the Council that the club was in stringent times. The Council explained that grants could not be given to a limited company and that the club had no collateral on which to give a loan. Mr Todd said the club had a Community Foundation which was a charity. Councillor Kane proposed and Councillor Maudling seconded that Councillor Rayson should liaise with the club about the Community Foundation and report back to the Council.

RESOLVED – That Councillor Rayson liaise with WRLFC about the Community Foundation and report back to the Council

1099/18 **Update on Community Plan**

The Council considered notes of a meeting with ACTION for Communities regarding the present position with regard to the Community Plan. The next meeting was on 10th October 2018

It was proposed by Councillor Gill and seconded by Councillor Hayes that this be approved and noted

RESOLVED – That the position be approved and noted

1100/18 **Report and Recommendations from the Allotment Advisory Group**

The Council considered a report containing recommendations from the Allotments Advisory Group meeting held on 21st September 2018. The Trainee Assistant Town Clerk gave the present position with regards to the letting of allotments, vacant plots and rent arrears. There were also reports from the Allotment site representatives.

1. The present position was discussed and it was proposed by Councillor Gill and seconded by Councillor Rayson that
 - i. That in respect of paragraph 2.6 of the report that an item be put on the next Council Agenda to give time to contact the voluntary sector to ask if they can carry out this work and

- ii. That all other requests in paragraphs 2.1, 2.2, 2.3, 2.4, 2.5, 2.7, 2.8 and 2.9 be agreed and noted

RESOLVED –i That in respect of paragraph 2.6 of the report that an item be put on the next Council Agenda to give time to contact the voluntary sector to see if they can carry out the work
ii That all other requests in paragraphs 2.1, 2.2, 2.3, 2.4, 2.5, 2.7, 2.8 and 2.9 of the report be agreed and noted.

2. Cartgate Allotment site was discussed and it was proposed by Councillor Gill and seconded by Councillor O’Kane that paragraphs 2.10 and 2.11 be approved and noted and that no contribution be made in respect of paragraph 2.12.

RESOLVED – That paragraphs 2.10 and 2.11 of the report be approved and noted and that no contribution be made in respect of paragraph 2.12 of the report


3. Crow Park Allotment Site was discussed and it was proposed by Councillor O’Kane and seconded by Councillor Rayson that paragraphs 2.13, 2.14, 2.15, 2.16 and 2.17 of the report be agreed and noted.

RESOLVED – That paragraphs 2.13, 2.14, 2.15, 2.16 and 2.17 of the report be agreed and noted

4. Midgey Allotment Site was discussed and the report contained information only and no decisions were necessary.

1101/18 Report and Recommendations from Whitehaven in Bloom Advisory Group

The Council considered a report containing recommendations from the Whitehaven in Bloom Advisory Group meeting held on 21st September 2018. The Advisory Group had made the following recommendations:-

- i. The remaining budget be used to purchase 8 x octagonal Fountain Planters from Amberol at a cost of £730.60 plus VAT
 - ii. That the council purchase extra barrier baskets to make a total of 12 to be sited at the crossroad of Lowther Street and Scotch Street and Tangier Street and Duke Street
 - iii. 54 extra hanging basket brackets be purchased at a cost of £17.50 each to fill in areas around the town
 - iv. To employ a seasonal operative in partnership with CBC for 5 days a week from May 2019 to end October 2019 at a cost of approximately £8,500.00 to carry out watering and maintaining the extra planters, structures and hanging baskets
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- v. The Contracts Manager at CBC to contact suppliers for the cost of plants and compost required for the extra planters, barrier baskets and hanging baskets.

It was proposed by Councillor Gill and seconded by Councillor Maudling that i, ii, iii and v above be approved and noted and that iv be agreed in principle subject to full investigation and reported back to the Council.

RESOLVED – That i, ii, iii and v above be approved and noted and that iv be agreed in principle but subject to a full investigation and reported back to the Council.

1102/18 **Appointment to Policy and Resources and Finance Committee**

Staffing Committee

Allotment Advisory Group

Events Advisory Group

Whitehaven in Bloom Advisory Group

Grants Committee

- RESOLVED** – (i) That Councillor Hayes be appointed to Policy and Resources and Finance Committee
(ii) That Councillor Gill be appointed to Staffing Committee
(iii) That Councillor Maudling and Councillor Kane be appointed to the Allotments Advisory Group
(iv) That Councillor Rayson be appointed to the Events Advisory Group
(v) That Councillor Rayson be appointed to the Whitehaven in Bloom Advisory Group
(vi) That Councillor Kane and Councillor Hayes be appointed to the Grants Committee

1103/18 **Office 365 Security**

The Council considered a report on Office 365 security. This was raised by the Council's IT provider, Westcom who said they had noticed an increase in attackers trying to gain access to email accounts particularly those hosted on Office 365. Westcom proposed making some changes to protect the emails and said this would cost £60 plus VAT.

It was proposed by Councillor O'Kane and seconded by Councillor Hayes that Westcom be authorised to make the necessary changes at a cost of £60 plus VAT

RESOLVED – That Westcom be authorised to make the necessary changes at a cost of £60 plus VAT

1104/18 **St Nicholas Gardens Update**

Councillor O’Kane gave an update on St Nicholas Gardens and said that there had been a meeting between the Town Council, CBC and Reverend Jackson where it had been agreed to form a partnership. CBC would be doing 12 grass cuts per year and also cutting the hedges twice a year.

It was proposed by Councillor Gill and seconded by Councillor Rayson that Councillor O’Kane be thanked for all his hard work and that the position be approved and noted.

RESOLVED – That Councillor O’Kane be thanked for all his hard work and that the position be approved and noted

1105/18 **Councillor Ward Grant Conditions**

The Council considered conditions for Councillor Ward Grants.

It was proposed by Councillor Gill and seconded by Councillor Rayson that the Councillor Ward Grant conditions be approved.

RESOLVED – That the Councillor Ward Grant Conditions be approved

1106/18 **Court case Update**

A report was considered on the result of the Court case. The Clerk said that the Claim by Mr Guest had been dismissed and that he had been ordered to pay Court costs of £4,800.96 by 4.00pm on 2nd October 2018.

It was proposed by Councillor O’Kane and seconded by Councillor Hayes that this be noted and that the Council’s legal costs of the case be paid.

RESOLVED – That the report be approved and noted and that the Council’s legal costs of the case be paid.

1107/18 **Suspension of Standing Orders**

The Chairman proposed the suspension of Standing Orders for a period of 15 minutes in order that the business of the Council could be concluded.

RESOLVED – That standing Orders be suspended for a period of 15 Minutes

1108/18 **Councillor Matters**

- i. Councillor Rayson referred to the Council’s website and said that this had not been updated since 20/12/17 and there were no events on the calendar. The Clerk said the Website would be updated shortly.
- ii. Councillor Rayson asked what was happening about the shop fronts and Union Hall as debris was lying on the pavement outside Union Hall.
- iii. Councillor Rayson mentioned the defibrillator and said she had spoken to Johnson House who were quite happy for a defibrillator to be sited there.

She said Johnson House was a charity and she was hoping to go back soon to see if there was anything that they wanted to do

- iv. Councillor Rayson gave an update on the Whitehaven Academy and said that
 - Bright Tribe were removing themselves from every school.
 - Cumbria Education Trust were now running the school although legally it would be from 1/1/19
 - There was a sum of £600k available in the interim for repairs to the school before the new build.
 - The future of the school now looks good
- v. Councillor O’Kane said that although it was not his ward he had received 4 emails about the lights being off on Coach Road for some months and that someone had fallen because of this. He said it had been reported to CCC and that they were waiting for a part and asked if the CCC could be contacted about this.
- vi. Councillor Maudling referred to the Traffic at the top of Inkerman Terrace and said that an average of 5-6 cars only were going through. Councillor Gill said there was a different sequence depending on the time of day. Councillor Kane said this was making Midgey a rat run.
- vii. Councillor Maudling said that they had got the police right in the town centre and quite a few arrests had been made.
- viii. Councillor Forster said there were weeds and grass growing out of the kerbs everywhere and asked if WTC could get together with CBC and CCC to spray all areas
- ix. Councillor Kane referred to Castle Park and should we should have had a meeting with CBC about the enforcement officers going in there at certain times of day.
- x. Councillor Kane referred to a light on Monkway which had been off for some time. The Trainee Assistant Town Clerk said that CCC had been contacted about this.
- xi. Councillor Roberts said that he had been walking through Castle Park during the recent bad weather and a tree had fallen down right in front of him. He said he had contacted the Woodland Trust about this and had shut the park in case someone got hurt.
- xii. Councillor Hayes referred to the Bandstand in Castle Park and said St Peter’s Youth Club wanted to get involved in painting the band stand in Castle Park and that the Council needed to get the band stand painted in time for Remembrance Sunday.
- xiii. Councillor Hayes said that he had arranged meetings in Kells to meet and greet people so that they could express any concerns.

1109/18 Date of next Council Meeting

RESOLVED - The date of the next meeting be 25^h October 2018 at 6.30pm

The Meeting closed at 9.15

Chairman

A handwritten signature in black ink, appearing to be 'Stephen Lee', written in a cursive style.