

WHITEHAVEN TOWN COUNCIL

Minutes of the Council Meeting held on 26th January 2017

Present: Councillors R Gill (Chairman); J. Forster; M. Guest; J. Kane; J. A. Laine; B O’Kane; G. Roberts

M. Jewell, Interim Clerk to the Council

Samantha Bagshaw from CALC

Julie Wright Clerk to Windermere Town Council

The Press

Members of the Public

600/17

Apologies For Absence

Apologies for absence were received from Councillor C Arrighi who wished it to be recorded that she was not attending as she felt intimidated by some members of the Council; and from Councillors D. Elliott, G McKew, and N Williams.

The Chairman said that Councillor Williams was ill and recommended that the Interim Clerk send a letter/card to Councillor Williams and his family to express the Council’s good wishes and this was agreed

601/17

Minutes of Meeting held on 16th December 2016

The Interim Clerk said that the Minutes should be amended to read Kevin Young to be The Chairman of Parton Parish Council and not the Clerk.

Councillor Laine wished it to be recorded that she was abstaining from approving the Minutes. A motion was put forward and seconded that the Minutes be approved subject to the above amendment. A recorded vote was held and the result was that 5 Councillors voted for the motion and 2 Councillors voted against it.

RESOLVED – That the Minutes be approved as amended and signed by the Chairman as a Correct record.

602/17

Declarations of Interest

Councillor Laine asked if there were any declarations of interest regarding the Christmas Committee as there were items on the Financial report relevant to this. The Chairman replied that declarations of interest could be made at the appropriate time but that it was for the individual to decide whether or not to declare an interest.

There were no declarations of interest.

603/17

Public Participation

1. Charles Maudling said that the Council had told him that we would know at this meeting about the Christmas expenditure and asked if this had been examined by a registered accountant. The Chairman confirmed that it had. Mr Maudling referred to Item 13 on the Agenda and asked why it was advisable to deal with it in private. The Chairman said this would be explained when the item was reached.
2. Tracey Bennett asked who authorised the cleaning of the war memorial. The Chairman stated that Mayor Starkie of Copeland Borough Council had authorised the cleaning and that the cleaning was carried out by Copeland Borough Council.
3. Janet Wynn of Mirehouse Residents Group said that on 12 August 2016 the Group applied for a grant for Wasdale Close and had been told in November 2016 that the Town Council would not consider the application until after the Christmas lights switch-on. The Chairman apologised for this and said it would be dealt with as soon as possible.
4. Les Hanley referred to the allotments contract with regards to declarations of interest because some town Councillors were also Copeland Borough Councillors and asked if those Councillors would be taking part in the discussion because this would be a conflict in some organisations. The Chairman said he would take advice on that.

604/17 **Planning Applications**

The Council considered the planning applications listed at item 5 on the Agenda.

RESOLVED - That the Interim Clerk inform Copeland Borough Council Planning Department that there were no representations on these applications.

605/17 **Precept**

The Chairman gave a verbal report on this and said that the Town Council would have to inform Copeland Borough Council but that he was proposing that the precept be not increased.

Councillor Guest said that last year things were done wrong and the Council received less than it should have done and asked that This be ratified this year.

The Chairman proposed that Copeland Borough Council be informed that there would be no percentage increase to the precept for 2017/18. A vote was taken on this and the result was that 5 Councillors voted for the proposal and 2 voted against.

RESOLVED – That Copeland Borough Council be informed that there be no percentage increase to the precept for 2017/2018

606/17 **Appointment of Clerk and Responsible Financial Officer**

The Chairman reported that he had met with CALC to set in motion A procedure for the appointment of a Clerk and Responsible Financial Officer.

He said that there would be a meeting of the Staffing Committee On 9th February 2017 to deal with this.

Councillor Laine said that the whole Council should be there to be responsible for interviewing applicants.

The Chairman proposed that the appointment of a Clerk and Responsible Financial Officer be referred to the Staffing Committee and that they be responsible for the selection and appointment.

Councillor Laine proposed an amendment to this proposal and said the

full Council should deal with this and interview and appoint the Clerk and Responsible Financial Officer.

The Chairman referred to the amended proposal and a vote was held.

The result of the vote was that 5 Councillors voted against the amended

proposal and 2 Councillors voted for it.

The Chairman then referred to his proposal for the Staffing Committee To deal with the selection and appointment of the Clerk and Responsible Financial Officer and a vote was held. The result of the vote was that 5 Councillors voted for the proposal and 2 Councillors voted against it.

RESOLVED – That the Staff Committee meet to carry out the process of selecting and appointing a Clerk and Responsible Financial Officer.

607/17 **Amendment of Standing Order 6(b)**

The Chairman said that when he moved the amendment to Standing Order 6(b) to provide that 4 Councillors (instead of 2) could call an extraordinary meeting of the Council he had been wrongly advised that this could be done and was therefore not aware that this was wrong.

RESOLVED – That the reference in Standing Order 6 (b) to 4 Councillors be amended to read 2 Councillors

608/17 **Allotment Contract**

The Chairman read out the Allotment Report (Agenda Item 9). Councillor Laine said that in 2016 she objected to this as it was gifting the contract to Copeland Borough Council and the Town Council had a legal obligation to get best value and that she had stepped down from the Allotments Committee. She said the Council should consider allowing allotment holders to manage themselves.

Councillor O’Kane said the Council had been given advice which had Subsequently proved to be wrong. Councillor Laine said the cost to the taxpayer for the allotments was £60,000 . Councillor Kane said allotment were a cost to the Council and what the Council received was much less than what the Council spends.

Councillor Laine raised the risks associated with suspending Standing Orders and these were accepted and noted.

The Chairman proposed that a contract be awarded for the management of the Council’s allotments for a period of three to five years.

Following a discussion it was:-

RESOLVED – (i) that the recommendation contained in paragraph 4.1 to suspend Financial Regulation 11 be approved

 (ii) that an amendment be made to recommend in paragraph 4.2 that the Copeland Borough Council continue to provide th

management service for the next 3 to 6 months

(iii) that the recommendation contained in paragraph 4.3 of the Report that tenders be invited for the provision of an allotment and pigeon loft service for a period and on terms to be agreed by the Council be approved

(iv) that the recommendation contained in paragraph 4.4 of the Report that tenders be opened and evaluated by the Council and a contract awarded to the successful tenderer be approved

609/17 Website Contract

Members considered a Report (Item 10 on the Agenda) on the updating of the Council's website. It was reported that this work was being carried out by the website designer.

Councillor Guest proposed a 12 month contract.

The recommendations in 4(i), 4(ii), and 4(iii) were that 3 estimates be sought on the basis of an hourly charge for the work and a contract be awarded for a period to be agreed by the Council and that in the meanwhile the work continue to be carried out by the current person. A vote was taken on this and 5 Councillors voted for the recommendations , 1 Councillor voted against and 1 Councillor abstained.

RESOLVED – That the recommendations contained in paragraphs 5(i), 5(ii) and 5(iii) of the Report be approved on the basis of a 12 months contract being awarded

610/1 Finance Report

1.1 Grant Application – Whitehaven Judo Club

Councillor Laine said that grant applications should be held in confidence. Councillor O'Kane said the Council should be looking at what proportion of the precept should be going to grants and what should be set aside to support grant applications. He said that the Council needed to signpost people to grants elsewhere in Copeland.

RESOLVED - That the grant application for Whitehaven Judo Club be considered at the next Council meeting

2.1 Crow Park Allotments

RESOLVED – That the installation of approximately 60 metres of rabbit

proof wire and post wire to be dug into the ground approximately 15 metres from previously installed rabbit proof wire at a cost of £460.00 plus VAT be approved

2.2 Main Gate, Cartgate Allotments

RESOLVED – That the quote obtained to heighten the main gate to Cartgate Allotment Site and painted once welded to heighten the gate by approximately 18 inches at a cost of £360.00 plus VAT be approved

2.3 Cleaning of Castle Park

RESOLVED – That the proposal to clean Castle Park every Saturday Morning by Copeland Borough Council's cleaning team at a cost to the Town Council of £43.75 per week plus VAT be not approved

2.4 Skip Hire for Allotment Sites

RESOLVED – that the quotation received for the provision of 4 x 8yd Skips with supply nets to the allotment sites in Whitehaven at a cost of £200.00 plus VAT per skip be approved

2.5 Removal of Compost/Soil to landfill site (Crow Park)

RESOLVED - That the expenditure for the removal of approximately 6 tonne of compost soil at an estimated cost of £660.22 plus VAT be approved

2.6 Bus Shelters at Lowther Street

RESOLVED – that the expenditure for the provision of three bus shelters at Lowther Street, Whitehaven be not approved

2.7 Virus Protection for Software

RESOLVED – that the licence for the year commencing 14/03/17 at a cost of £84.00 plus VAT be approved

2.8 Stationery

RESOLVED – that the cost of £58.48 including VAT for 100 second class stamps be approved

2.9 Money Banked

The Chairman read out details of money banked shown at paragraph 3 of Agenda Item 11. He said there had been a mix up in the Party in the Park as £50 had been taken out as a float

The Chairman also reported that the former Clerk had authorised a café in Whitehaven to provide free refreshments and that this account had been paid out of the Mayor's Allowance.

A discussion followed between Councillor Guest and the Chairman about whether or not Councillor Guest had spent all his allowance.

RESOLVED – that the money banked report be noted

2.9 Other Financial Matters

- (a) The Chairman reported that in December 2016 he had purchased a TV and X-Box equipment for the Overend Residential Children's Home from the Mayors Charity fund

RESOLVED – that this be approved and noted

- (b) The Chairman reported that 2 tickets costing £25.00 each for the Mayor of Workington's Charity Dinner had been purchased from the Mayor's Charity Fund

RESOLVED – that this be approved and noted

611/17 Expenditure to be authorised

The Council considered a report at Appendix 2 of Agenda Item 11. The Chairman referred to 4 accounts from Whitehaven Industrial Cleaners totalling £7,900.00 and said he had spoken to the contractor and it had been agreed that because certain work had been carried out by Copeland Borough Council that this would have to be deducted and the total amount reduced to £5,950.00.

Councillor asked CALC for a discussion on this. CALC stated that the Council was responsible for directions given to the contractor. She said that the Council had to evaluate the work carried out and ask the question as to whether a good service had been delivered, was it done in good faith and were the Council satisfied with the work.

Councillor O'Kane said the work carried out was what the Council wanted.

The Chairman proposed that subject to the amendment above the list of invoices for authorisation be approved en bloc.

Councillor Laine stated that she wanted to go through the list line by line and made a proposal to that effect. A vote on this was taken and the result was that 5 Councillors voted for approving all the invoices on the list and 2 Councillors voted against it.

RESOLVED – That the invoices on Appendix 2 (with the reduction to the Whitehaven Industrial Cleaners invoice) be authorised and approved for Payment

Councillor Laine stated that no declarations of interest had been made in respect of Christmas activities

612/17 Date and Venue of Next Meeting

RESOLVED – That the next meeting of the Town Council be held on Thursday 2nd March 2017 and also on the last Thursday in March 2017 at the Whitehaven Civic Hall.

613/17 Councillor Ward Grants

(a) The Interim Clerk referred to outstanding applications for Ward Grants from Councillor Guest totalling £4,000.00 (£2,000.00 for 2015/16 and £2,000.00 for 2016/17)

RESOLVED – That these Ward Grants be paid to Councillor Guest

(b) Councillor Laine said that she still had not been paid her Ward Grants for 2015/16 and 2016/17 which totalled £4,000.00

RESOLVED – That these Ward Grants be paid to Councillor Laine

614/17 Exclusion of Press and Public The Chairman moved the following resolution prior to consideration of Agenda Item 13:-

“That in view of the special or confidential nature of the business to be Transacted it is advisable in the public interest that the public and/or press be temporarily excluded and they are instructed to withdraw.”

RESOLVED - That the press and public be excluded from Agenda Item 13 on the grounds that publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

615/17 Report on the Financial Position of Whitehaven Town Council

A private and confidential report was distributed to the Council who were informed by the Chairman that the reports must be handed in at the end of the discussion.

The report had been prepared by an independent accountant who had carried out a detailed check of the Town Council's financial records and who attended the meeting to go through the report and answer any questions.

The report was discussed and it was:-

RESOLVED - that the findings in the report be accepted and noted and appropriate action taken

During this matter the Chairman stated that under Standing Order 3 no meeting could exceed 2.5 hours and proposed that this be suspended for 30 minutes to allow consideration of the above report and it was **RESOLVED** that it be so suspended

616/17 Transfer of Money from Deposit to Current Account

The Chairman said that it would be necessary to transfer the amount of money shown on the schedule of invoices to be paid at Appendix 2 of Item 11 on the Agenda and which had been authorised for payment earlier in the meeting in order that the cheques to be issued would clear and proposed that the money be transferred from the Council's deposit account into the Council's current account. A vote on this followed and the result of the vote was that 5 Councillors voted for the proposal and 2 Councillors voted against it.

RESOLVED – That the amount of money authorised to be paid at Schedule of Item on the Agenda be transferred from the Council's deposit account into the Council's current account

The meeting closed at 10.00pm

Signed and approved as a correct record as amended by full Council on 2nd March 2017



Chairman