

WHITEHAVEN TOWN COUNCIL

Minutes of the Extraordinary Council Meeting held on 15th August 2018

Present: Councillors G Roberts (Chairman); J Forster; R Gill; C Hayes; J Kane; T Lowrey; B O’Kane

M. Jewell, Clerk and Responsible Financial Officer

Member of the Public

1040/18 Apologies For Absence

Apologies for absence were received from Councillor Rayson and Councillor Maudling

1041/18 Declarations of Interest

There were no declarations of interest

1042/18 Public Participation

There was no public participation.

1043/18 Election Result

The Clerk referred to the election held on 9th August 2018 for the vacancy on Kells Ward and informed the Council that Chris Hayes had been elected. Councillor Hayes had signed the Acceptance of Office and was present at the meeting and the Council welcomed him.

RESOLVED – That this be noted

1044/18 Councillor Resignation

The Clerk referred to the resignation of Jayne Laine from the Council which had created a vacancy for the Mirehouse Ward and said the CBC’s Elections Manager had been informed and that the Notice of Vacancy would be published shortly.

RESOLVED – That this be approved and noted.



1045/18 Public Realm

Councillor O’Kane gave a verbal report on the present situation with regard to the Public Realm Concept Design proposals for Whitehaven and referred to documentation attached to the Agenda at pages 3 – 42. He said that it had been agreed that each of the Town Councils in Copeland would get £75,000.00 of expenditure allocated. Councillor O’Kane made the following points:-

- What had been done was to consult each Town Council and we had been asked what areas we wanted to look at
 - CBC seemed to want to develop the Market area (green market)
 - We wanted something done on King Street and said the key thing was that King Street should be completely pedestrianised with no vehicles except for emergency vehicles being allowed on King Street
 - King street was supposedly pedestrianised but time after time vehicles were being driven down King Street causing danger to pedestrians.
 - Councillor O’Kane said Public Realm was a partnership between CBC and the Town Council
- (i) Councillor O’Kane proposed that the Town Council ask for the plan for Whitehaven Public realm to be withdrawn immediately from public consultation and that enhanced dialogue between the CBC and WTC should occur as soon as possible to decide a joint scheme on the public realm funding. This was seconded by Councillor Gill.

RESOLVED – That the proposed in (i) above be approved and actioned

- (ii) Councillor Kane proposed that the Town Council meet with the Town Heritage Initiative Group Chaired by Kerry Maxwell with a view to clarity on the funding lift and what it had been allocated to. This was seconded by Councillor Hayes.

RESOLVED – That the proposal in (ii) above be approved and actioned

It was also agreed, although not a formal resolution, that the Clerk send an email to all WTC Councillors who were on CBC to ask them to attend the Task and Finish Group meeting on 22nd August 2018 at 2.00 at the Copeland centre to raise the Council’s concerns on this issue

1046/18 Councillor Ward Grants

A report was considered on Council Ward Grants and the fact that because of the practice of rolling over unspent grants from one year to another there was currently £45,222.83 in unspent Ward Grants.

- RESOLVED** – (i) That the report be approved and noted
(ii) That Councillors investigate where grant funding may be required in their wards

1047/18 **St Nicholas Garden**

Councillor O’Kane gave an update on St Nicholas Gardens.

He posed the question about what would happen to St Nicholas Gardens in the future and what if anything the Council could legally do.

The Clerk in giving advice on this referred to s8 of the Local Government Act 1894 which was still extant and which said that local councils could not do any works and/or contribute towards the expense of any works on church property.

The Clerk also referred to NALC advice note L01-18 issued on 31st January 2018 which the Council had previously knowledge of and which concluded by saying that there was no case law to resolve the question of whether or not the 1894 Act restrictions overrode the provisions of later Acts and that it would be for the Courts to determine this. The advice note also said that before a Council considered making a payment it should consider carefully whether it was prudent to take a course of action which it could not be certain was legally valid.

Following a long discussion concerning all aspects of this and in particular the benefit to the community and visitors, Councillor Gill proposed that a budget amount of £10,000 per annum in perpetuity be allocated to decorate St Nicholas Church Gardens and this was seconded by Councillor Hayes and it was unanimously

RESOLVED – That a budget amount of £10,000.00 per annum in perpetuity be allocated to decorate St Nicholas Gardens.

1048/18 **IN PRIVATE**

Prior to the two following items of business the Chairman moved that in view of the special or confidential nature of business about to be transacted it was advisable in the public interest that the public and/or press be instructed to withdraw.

RESOLVED – That the press and public be excluded.

1049/18 **Grant Applications**

Councillor Gill declared a non-pecuniary interest as he was a member of the Whitehaven Heritage Action Group and took no part in the discussion or the Voting.

The Council considered an application for a grant from Whitehaven Heritage

Action Group.

RESOLVED – That a grant of £600.00 be awarded to the Whitehaven Heritage Action Group for the replacement of 2 wooden gun carriages.

The meeting closed at 8.00pm

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

Chairman