

WHITEHAVEN TOWN COUNCIL

Minutes of the Extraordinary Council Meeting held on 6th February 2018

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

M. Jewell, Clerk and Responsible Financial Officer

V. Gorley Trainee Assistant Town Clerk

Jo McLeod

Members of the Public

894/18 Apologies For Absence

Apologies for absence were received from Councillor Forster and Councillor Guest

895/18 Declarations of Interest

There were no declarations of interest

896/18 Public Participation

No members of the public wished to speak

897/18 MV700 Gladiator Chewing Gum Removal Machine

Members will recall that this was discussed at the Council meeting on 25th January 2018 where it was resolved that the Council consider a resolution to suspend Financial Regulations made at Council together with reasons for suspension and a risk assessment to hire the MV700 Gladiator machine for a 5 day period at a cost of £11,000.00 plus accommodation costs for 3 operatives to remove chewing gum from King Street, Lowther Street, Tangier Street, Market Place, part of Duke Street and Civic Hall.

The Chairman reported that the contractor had told him that it would be done in a 3-8 day period at a cost of £11,000 plus accommodation only costs. The Council considered the resolution, the reasons for suspension

and the risk assessment and it was:-

RESOLVED – That Financial Regulations be suspended in order to hire the MV700 Gladiator machine to clean King Street, Lowther Street, Tangier Street, Market Place, part of Duke Street and Civic Hall at a cost of £11,000 plus accommodation only costs for the operatives. The work to be done in a 5 to 8 day period.

Councillor Rayson and Councillor Laine entered the meeting

898/18

Employment Tribunal Judgement

The Council considered a report on and a copy of a Judgement issued by the Employment Tribunal regarding a claim against the Council by a former employee. The judgement total was £11,571.07 but the Judge ordered sums of £1331.65 and £2608.47 in respect of overpayments of salary and final payments to be offset against this leaving a final sum of £7630.95 to be paid to the Claimant

Jo McLeod who represented the Council at the Tribunal hearing gave a resume of the case and advised that the Council should pay the judgement amount of £7630.95 because the Council had quite rightly conceded that the claimant was due this money particularly with regard to holiday pay and employee pension contributions and that she did not see that the Judge had failed in law nor did she feel that another judge would have reached a different decision.

Following a discussion it was

RESOLVED – (i) That the sum of £7630.95 be paid to the Claimant

(ii) That a press release on this matter be circulated to Councillors for approval/amendment (Councillor

Laine wished it to be noted that she voted against this as she wanted a police investigation into what had gone on over the last 12 to 18 months)

Councillor Gill proposed a vote of thanks to Jo McLeod for the sterling work she had done on behalf of the Council on this case and this was endorsed by the Council.

899/18

Audit and Governance Decision Notices

The Chairman referred to the report on the five Decision Notices from Copeland Borough Council's Audit and Governance Committee. He explained that he would be reading out the complaint summary and

the hearing outcome

Cllr Laine stated that she had a non pecuniary interest in two complaints and Councillor Maudling declared a non pecuniary interest.

RESOLVED – (i) That all the Decision Notices be noted and accepted

(ii) That it be noted that Councillor Gill issued an unreserved public apology to Councillor Laine in respect of a press release

900/18

Ceremonial Medals

The Council considered a report on two ceremonial medals purchased in 2016, one with the words “Past Mayor” and with the Council’s crest and name on and the other just with the Council’s crest and name on and whether or not they be given to Councillor Guest.

Councillor Guest said the medals belonged to him as he had purchased them out of his Mayor’s allowance.

Councillor Gill left the meeting during the discussion and did not return.

Councillor Laine proposed that the medals should be given back to Councillor Guest and a full apology given to him as they were his property. This was seconded by Councillor Rayson

Councillor Kane made an amended proposal and said the medals should be amended and be used by the Mayor and partner during their term of office

A recorded vote was held on the amended proposal the results of which were as follows:-

Councillor O’Kane	For
Councillor Kane	For
Councillor Laine	Against
Councillor Maudling	Abstained
Councillor Rayson	Against
Councillor Roberts	For

RESOLVED – That the medals be amended and be used by the Mayor and partner during their term of office.

Following this Councillor Laine served legal papers on behalf of Michael Guest on the Council

The meeting closed at 7.55

Chairman

A handwritten signature in cursive script, appearing to read 'B. G. ...', positioned below the title 'Chairman'.