

# WHITEHAVEN TOWN COUNCIL

## Minutes of the Virtual Council Meeting held on the Zoom Platform on 28th January 2021

**Present:** Councillor B O’Kane (Chairman); Councillor C Arrighi; Councillor E Dinsdale; Councillor G Dinsdale; Councillor R Gill; Councillor C Hayes; Councillor C Maudling; Councillor R Redmond; Councillor G Roberts; Councillor C Walmsley; Councillor L Walmsley

M. Jewell, Clerk and Responsible Financial Officer

V. Gorley, Assistant Clerk

Mayor Mike Starkie, Jenny Brumby

Members of the Public

### **1667/21 Apologies for Absence**

There were no apologies for absence

### **1668/21 Declarations of Interest**

Councillor Roberts declared that he was a member of CCC in relation to Items 6 and 11

Councillor Maudling declared that he was a member of CBC’s Planning Panel in relation to Item 6

Councillor O’Kane declared that he was a member of CBC’s Planning Panel in relation to Item 6

### **1669/21 Public Participation**

There was no public participation.

### **1670/21 Minutes of the Council Meeting held on 26<sup>th</sup> November 2020**

It was proposed by Councillor Gill and seconded by Councillor Roberts that the Minutes of the Council Meeting held on 26<sup>th</sup> November 2020 be approved and signed by the Chairman as a correct record.

A vote was taken and 8 Councillors voted for, 1 Councillor voted against and 3 Councillors abstained

**RESOLVED** – That the Minutes of the Council Meeting held on 26<sup>th</sup> November 2020 be approved and signed by the Chairman as a correct record

The Chairman then raised a point of order and said he was concerned about the future and how we are running our Council Meetings in that as a team we are a Council that has dialogue between ourselves where we discuss and decide within the legal framework

He said that several Councillors have said to him that it was an issue at the moment as regards trust between ourselves. The mutuality of trust on Councillors is essential. He said at the moment they were in the situation where the emails that we're sending each other are finding an outlet on some social media which is totally unacceptable and we're also finding a situation where private and confidential literature that is sent between Councillors is also finding an outlet on social media even before Councillors have met to decide, talk and discuss the matter.

So our Council is being compromised because of somebody in the 12 people who are here at the moment and that we were moving into a situation where the trust element which is essential in the Council is being betrayed. The Chairman said he didn't know what to do about this or whether any Member had any thoughts, whether it was a situation that could go on, whether private and confidential information should be sent to Councillors or given to Councillors in a different format or whether Councillors could end up stopping emailing each other and if Councillors stop emailing each other how do we connect. He said that this was a point of order and didn't believe he could ask for a reply or discuss it but he wanted to point out the situation. He said he was making a statement on a point of order, a statement which he thought was essential if we were going to carry on as a Council without being compromised. Councillor Gill said he had something to say along the same lines which he would do further along the Agenda.

1671/21

### **Public Toilets Presentation by Mayor Starkie**

A presentation was given by Mayor Mike Starkie on public toilets. He was accompanied by Jenny Brumby CBCs Buy Local Scheme Co-ordinator. He made the following points:-

- His understanding was that the WTC was contributing £50,000 towards carrying out the construction work for the new public toilet in Whitehaven
- This originally started out as a project in isolation but things had moved and it was going to become part of the broader project for the whole town. The Future High Street Fund was launched in 2019 and CBC was selected as a bidder. But some other opportunities came our way which required significant other funding and we asked to increase the bid in line with this

but there was no flexibility. A new bid would be announced in the next 2/3 weeks and the toilets would form a significant part of the new deal and a number of properties had been acquired around and others were being considered.

- CBC would be forming a working Group and WTC would be invited to attend to look at ideas and projects that had been mooted
- We should be in a position within the next 2/3 weeks to progress the projects and starting from a good position.
- There had been changes in BEC and CCC was no longer a part of BEC. BEC was now the NDA, CBC and ABC
- The Harbour Commission now had a new Chief Executive who had extensive events experience
- The Mayor said he was happy to take questions

Councillor E Dinsdale - Asked about timescales for the toilets – what part are WTC going to play – are WTC going to pick site’

Answer – A project Board is being set up and the toilets form part of that overall bid and he would like WTC to take a full part and he would produce a working document.

Councillor Arrighi asked what the £50,000 would be going towards

Answer – Towards construction of the site itself

Councillor Arrighi asked if there would be any funding from the Harbour Commissioners

Answer - It’s not about the money we can get from them but things that they can bid for. We can work together collectively with a simple objective

Councillor Gill – In relation to the Harbour Commissioners I’m hoping that we do now get a good working relationship

Answer – It would be worthwhile getting John to come along to a Town Council Meeting and talk to you about his visions

Jenny Brumby said that in September she met with Steve Chapple and they spent 2 hours walking round the harbour and that bit was important to move forwards and develop partnerships.

The Mayor thanked Mayor Starkie and Jenny Brumby for attending and for their contributions

There was no decision taken and the presentation was noted.

## **1672/21 Planning Applications**

The Council considered a list of Planning Applications received from CBC and shown at Appendix 1.

Councillor Roberts referred to page 13 of the Agenda and the planning application in respect of residential development Harras Dyke Farm and said that the CCC was carrying out a drainage survey about flooding in the area and until

the report had been concluded would be a no from him.  
No other representations were made on the planning applications on Appendix 1

**RESOLVED** – That Copeland Borough Council be informed that having considered the planning applications on Appendix 1 there were no other comments on any other planning application.

**1673/21**     **Finance Report**

The Council considered a Finance Report.

- (i) It was proposed by Councillor Roberts and seconded by Councillor Gill that the Invoices at Appendix 1 be approved and paid. A vote was held and 9 Councillors voted for and 3 Councillors abstained.

**RESOLVED** – That the Invoices shown at Appendix 1 be approved and paid

- (ii) The Council considered Appendices 2 and 3 and it was proposed by Councillor Hayes and seconded by Councillor Gill that these be approved and noted. A vote was held and 9 Councillors voted for and 3 Councillors abstained.

**RESOLVED** – That Appendices 2 and 3 be approved and noted.

**1674/21**     **External Auditors Report**

The Council considered a report on the External Auditors' Reports and Certificates which had been issued for 2018/19 and 2019/20. The Clerk went through the report and read out the recommendations in the report. Councillor E Dinsdale and Councillor G Dinsdale asked if they could see the list of Councillors who had agreed to the HCID Policy and referred to in the External Audit report and the Chairman said that would provide no useful information and that this was a final Report from the External Auditors. Councillor Rayson asked if the Council had done anything unlawful or illegal or acted illegally and the Clerk said the Council had not and that all the External Auditor recommendations were of a non-statutory nature. It was proposed by Councillor Roberts and seconded by Councillor Hayes that the report be accepted. A vote was held and 8 Councillors voted in favour of the proposal, 3 Councillors voted against and 1 Councillor abstained

**RESOLVED** – That the report be accepted.

**1675/21**     **Approval of Budget and Precept for 2021/22**

The Council considered a report on the Revenue Budget and Precept for 2021/22 which incorporated recommendations made following two meetings of the Budget Setting Advisory Group held on 7<sup>th</sup> January 2021 and 13<sup>th</sup> January 2021. The Chairman said everyone had received the report and read out the

recommendations in the report. It was proposed by Councillor Hayes and seconded by Councillor Gill that these be approved. No comments were made on the Report and no amendments were proposed. A vote was held and 9 Councillors voted for the proposal and 3 Councillors abstained.

**RESOLVED** – That (i) the Council consider the proposed 2021/22 Revenue Budget and precept  
(ii) makes any proposed amendments  
(iii) subsequent to (i) and (ii) above approves the 2021/22 Revenue Budget and Precept and  
(iv) that the Chairman and the Clerk sign the Precept 2021/22 Form received from CBC to advise Copeland Borough Council of the approved Town Council Precept for 2021/22 to inform the setting of the overall Tax Requirement for 2021/22

#### **1676/21 Unitary Authority**

The Clerk reported that the papers were on the Agenda so that Councillors would have a paper copy for reference purposes. The Clerk had recently attended a Zoom meeting of Local Authority Clerks regarding Unitary Authorities and the overall opinion was that this was going to happen and it was therefore very important for all Local Councils to be included in all negotiations for Unitary Authorities.

Mayor Starkie gave a brief update on the present situation which was:-

- The bid went in on 09/12/20 for 1 single unitary authority and another 3 for 2 unitary authorities – Copeland Allerdale and Carlisle; and Eden South Lakes and Barrow
- It was expected that the Government would decide in the next two weeks which of the bids would go forward for consultation
- Mayor Starkie explained the structure of a unitary authority and said he would be putting out a lot more communication in the next few weeks

The Chairman thanked Mayor Starkie for this

The item was for information only and no decisions were made.

#### **1677/21 Whitehaven in Bloom**

- (i) The Council considered a report containing details of a quote received on the supply of winter bedding plants for 2021/2022 at a cost of £2,112.75 exc. VAT and whether or not to suspend Financial Regulations so the quote could be accepted; and also details of three quotes received for the purchase of 20 replacement barrels made from recyclable material. Councillor Gill asked if all the barrels were the same quality and the Assistant Clerk confirmed that all barrels were of a similar design, quality and were made from recyclable material.

It was proposed by Councillor Hayes and seconded by Councillor Gill that the cheapest quote be accepted. A vote was held and it was unanimously

**RESOLVED** – That 20 replacement barrels be purchased from the supplier who supplied the lowest quote and at a cost of £6,712.02 including VAT and delivery.

- (ii) It was proposed by Councillor Roberts and seconded by Councillor Hayes that the Council suspend Financial Regulation 11 to allow the winter bedding plants to be purchased for 2021/22 from the preferred supplier at a cost of £2,112.75 exc VAT and that the reasons for the suspension contained in the report be recorded and the assessment of the risks contained in the report be accepted and approved. A vote was held and 11 Councillors voted for and 1 Councillor abstained.

**RESOLVED** - That the Council to suspend Financial Regulation 11 to allow the winter bedding plants to be purchased for 2021/22 from the preferred supplier at a cost of £2,112.75 exc VAT and that the reasons for the suspension contained in the report be recorded and the assessment of the risks contained in the report be accepted and approved.

#### **1678/21 Hensingham Closed Churchyard**

The Clerk reported that CBC had been working in Hensingham closed churchyard and

- The bushes had been cut back
- A diseased ash tree had been cut down
- When the overgrown bushes were cut back it revealed that part of the boundary wall had fallen down and someone had attempted to rebuild it using ordinary building bricks on top of the part that had fallen down which had made it dangerous. So CBC had cordoned that part off to safeguard the public.

The Clerk said she had intended to present a report on CBC's proposals for the future of the closed churchyard but due to CBC staff having to self-isolate this had not been possible but that it would be produced to the next Council Meeting. This report was for information only and no decisions were taken.

#### **1679/21 Event Advisory Group Meetings**

The Council considered a report on Meetings of the Events Advisory Group held in December 2020.

There were no decisions to be made and the report was noted

- i. Councillor Gill referred to the state of roads on Hensingham which he said were the worst bar none. He said he had been in touch with CCC but with no result.
- ii. Councillor C Walmsley said there was an issue with waste and that they had been working with CBC and the Enforcement officer and they were having a bit of a campaign at the moment and would be contacting the Clerk for a bit of advice and to see where the Town Council could chip in. There were also problems with dog mess and litter and there had been a lot of complaints from residents about it and they were going to have a meeting to see where they could go with it.
- iii. Councillor E Dinsdale said the issue in the last couple of weeks around Corkickle was about recycling and waste getting collected and that he had had communication with CBC and had managed to get there in the end and everything had been picked up.
- iv. Councillor G Dinsdale there was a street light on land which she believed was owned by Home Group and which was broken. She said the light had no serial number on it and that she had contacted Home Group to try to get it fixed but that without a serial number it was difficult to find who was responsible for it. The Clerk said that if Councillor G Dinsdale could give the location of the street light she would try and find out whose responsibility it was and Councillor G Dinsdale said that she would send a map showing where the street light was.
- v. Councillor Rayson that she was sure everyone would join in with her in sending sympathy to the family and friends of Cameron Taylor.

Regarding Ward matters she said:

- There was a lot of rubbish lying around due to recycling not being collected but she was putting it on the Hillcrest Residents Group website so that residents could do their bit and pick up the rubbish that had blown out of the bins
- There had been a few sightings of rats on the estate and she had been in touch with CBC who had been very good and also the CCC. Work was being done to cut back the overgrowth and the position would be checked
- Massive problem still on Thornton Road and roads on the estate were breaking up everywhere and they were waiting for the full roads to be re-laid down to Cross Lane. She said the estate had been neglected and left too long. She said she had not been able to contact CC Councillor Wonnacott who was not answering emails and it would be good if he could actively come and have a look at the estate and report back
- There was a lot of dog mess on the cuttings on the estate
- People on the estate were not picking up after their dogs. She had contacted Jericho school and they had agreed to produce some

campaign posters and do a media campaign with the Whitehaven News.

- Some grass verges that we are paying to have cut and kept tidy and which were getting churned up and muddy with people who bring their work vans/trucks home parking the vans/trucks on the grass verges. She said the estate doesn't look very tidy.
  - Councillor Rayson asked if parking concessions would be given by CBC once the shops are open and said the Harbour Commission also had car parks in Whitehaven and asked if there was anything they could do in the future when businesses will be open to encourage people if parking was free.
  - The Buzz Station was coming along but asked what was going to happen about the bins outside Wetherspoons
- vi. Councillor Hayes said it was the same on Kells with dog dirt. He said there had been a zoom meeting with the Police about anti social behaviour on the estate and they had produced a lot of ideas on how to alleviate this and the residents were behind all that was being done. He said the reason he wanted to bring this up was because he had received an email from another Councillor telling him the best way for him to go forward was to buckle down and do something on his Ward. He assured Councillor Arrighi that he did on his Ward and that he also did on Councillor Arrighi's Ward.
- vii. Councillor Maudling said there had been a lot of break ins to cars in the town centre and obviously the police did not have the resources to patrol as they were busy with covid issues.  
Councillor Maudling said there had also been 2 or 3 break ins of retailers. Councillor Maudling said there was a lot of litter being dumped from the path leading from New Road up to Bransty in the woods and wondered if the Rangers could deal with this.  
Councillor Maudling said at the first meeting the CCC had been asked about the bins outside Wetherspoons and Dominoes Pizzas and they said that they were looking at putting something like a barrier up or take it inside the building because there was an alleyway there shown on the plans in the original planning permission
- viii Councillor Redmond said he would like to thank the Clerk for following up with the church and the information provided tonight
- ix Councillor Arrighi said £1,000 of her Ward Grant had been given to Greenbank Community Centre and they hadn't used it and asked if they were prepared to give it back so we could use it for something more productive and said that was up to the Clerk if she wanted to sort it out with them.
- x Councillor O'Kane expressed concern about the lack of response from the CCC in response to potholes and gritting and the filling of grit bins which had been fairly haphazard. He said he had had a few enquiries from local schools but that it was virtually impossible to give ward grants to local schools.



- xii Councillor G Dinsdale asked if it was possible to do anything regarding the recycling. She said she had been out with the Waste Team getting the covers you attach. They were really great and had given her 100s of covers which they then gave out to everyone but although she had put a post out explaining how to attach them a lot of people didn't and at the next recycling pick up it had all blown away particularly round Corkickle. She said she was going to do a video to explain how to tie them on but thought it might come better from the Waste Team themselves. Mayor Starkie said he was happy to look at it as they were putting out a lot of media podcasts and quite a lot around waste. He said he was happy to set something up and that if Councillor G Dinsdale wanted to do a video with the Waste Team he was happy to facilitate this. Councillor Hayes asked if the instructions could be printed as well and this was agreed.

**1681/21 Date of next Meeting**

The date of the next Council Meeting to be on Thursday 25th February 2021 at 6.00pm.

**IN PRIVATE**

- 1682/21** That prior to the following item of business the Chairman moved the following resolution:-

That in view of the special or confidential nature of the business about to be transacted it is advisable in the public interest that the public and or press be instructed to withdraw from the zoom platform. All members of the public and Mayor Starkie and Jenny Brumby then left the zoom meeting.

Councillor Gill said this was the point in the Meeting whereby Members who wish it to be brought into the public domain should raise the issue not via a letter to the Whitehaven News or putting our staff under pressure and asking them to alter the Agenda. He said the staff cannot alter the Agenda as it is the Council's Agenda and the Council will decide, this meeting will decide if the Agenda is altered. He said this is the point where the Council should have raised the issue and voted accordingly.

This was followed by comments made by Councillor Rayson, Councillor Arrighi and Councillor E Dinsdale.

Councillor Gill raised a point of order and said a vote needed to take place to go into private session. It was proposed by Councillor Gill and seconded by Councillor Hayes that the above mentioned resolution be approved and that the Council move into private.

A vote was taken on this and 9 Councillors voted for, 2 Councillors voted against and 1 Councillor abstained.

**RESOLVED** – That in view of the special of confidential nature of the business about to be transacted it is advisable in the public interest that the public and press be instructed to withdraw from the zoom platform.

**1683/21**      **Court Case re Allotments**

The Council considered a report on the result of a recent court case involving an injury sustained by a minor on an allotment site. The Chairman who had been the Council's witness in the Court case gave some key points and a brief history of the case, The Council along with a co- defendant were found liable and were each ordered to ordered to pay equal amounts of damages and costs. These monies were paid by the Council's insurers who instructed solicitors to defend the case on behalf of the Council.

It was proposed by Councillor Gill and seconded by Councillor Maudling that the report be approved and noted. Councillor E Dinsdale requested a recorded vote and the result was as follows:-

|                       |           |
|-----------------------|-----------|
| Councillor C Arrighi  | Abstained |
| Councillor Gill       | For       |
| Councillor Roberts    | For       |
| Councillor L Walmsley | For       |
| Councillor C Walmsley | For       |
| Councillor Maudling   | For       |
| Councillor O'Kane     | For       |
| Councillor Hayes      | For       |
| Councillor Rayson     | For       |
| Councillor Redmond    | For       |
| Councillor E Dinsdale | Against   |
| Councillor G Dinsdale | Against   |

**RESOLVED** – That the report be approved and noted

The Meeting closed at 8.50pm



Chairman