

WHITEHAVEN TOWN COUNCIL

Minutes of the Extraordinary Council Meeting held on 17th 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

1077/18 **Apologies For Absence**

Apologies for absence were received from Councillor Lowrey

1078/18 **Declarations of Interest**

There were no declarations of interest

1079/18 **Public Participation**

Several members of the public attended to state their objections to a planning application for 9 serviced self-build plots on land to west of Casa Mia, Harras Road, Whitehaven. The Chairman informed the members of the public that this application would be discussed by full Council on 27th September 2018 and that the members of the public had 15 minutes to state their case and that there could be no discussion on this.

Several members of the public spoke and their comments on the application were:-

- There was concern that because there was less than 10 dwellings that it would not be necessary to go through the Planning Panel as it could go through as a small development
- There was concern that this development could be expanded for up to 50 dwellings
- The infrastructure was going to be pressed
- They were single track roads with no footpaths. In 1995 CBC said Harras Moor would not be accessible by vehicles.
- Up and down the road is like a rat run. The speed limit is not being adhered to and the average speed up the road is 38mph and down the road is 35mph.



- Twelve months ago there was a near fatality on the road. The road isn't adequate for what's there now and if this goes ahead it will be linked up to Elizabeth Crescent
- By building houses here it is taking away the landscape. By building up the flank of the road the view will be taken away by all these buildings and that some seats had been put in particularly for people to sit and enjoy the view.
- The road is not designed to carry the volume of traffic
- There is a huge amount of surface water running off the land and it runs like a river down the side of a particular property
- There is a 1.2 metre pathway and the grass verge is non-existent
- Driving up the hill in the morning there is a danger from moving sun
- After school in the afternoon the kids go down the road and it is not wide enough and if the traffic increases there is going to be a fatality
- The proposal is to put 7 new accesses onto a main road
- In 2010 houses nearby were evacuated because of a fractured gas main and there is concern whether the infrastructure is safe for an increased amount of traffic
- Numerous traffic surveys had been done but they were always carried out in mid summer during the school holidays and if a traffic survey was carried out when the schools were operational the difference in the volume of traffic would be noticeable
- The drainage from the Sunnyhill pub to St James's School is a Victorian drain

The members of the public were asked to email any comments they had to the Clerk so that they could be considered by the Council alongside the planning application and they agreed.

The members of the public thanked the Council for listening to them.

1080/18

Casual Vacancy

The Council were informed that the casual vacancy for Mirehouse would have to be filled by co-option as a by election had not been claimed by the electorate of the Mirehouse Ward. A co-option policy was considered by members.

Councillor Gill proposed that the policy be amended to read that all votes are by secret ballot unless in the meanwhile the Clerk advises otherwise and that the period for submitting the application be 14 days from the day notice of the co-option is advertised and this was seconded by Councillor O'Kane.

RESOLVED – (i) That the Co-option policy be amended to state that all votes are by secret ballot unless the Clerk advises otherwise
(ii) That the period for submitting an application to be co-opted be 14 days from the date the notice of the co-option is advertised.

1081/18 **St Nicholas**

Further to Minute 1072/18 the Council considered a report and a resolution made by the Council to suspend Financial Regulations following prior notice of the reasons for and the risks of suspending Financial Regulations in order to work in partnership with CBC.

It was proposed by Councillor Gill and seconded by Councillor Kane that the Financial Regulations be suspended.

RESOLVED – That the Financial Regulations be suspended.

1082/18 **Airmens Memorial Seat**

Further to Minute 1068/18 the Council considered a report and a resolution made by the Council to suspend Financial Regulations following prior notice of the reasons for and the risks of suspending Financial Regulations to purchase a new seat from Glasdons.

It was proposed by Councillor Kane and seconded by Councillor Hayes that Financial Regulations be suspended.

RESOLVED – That Financial Regulations be suspended.

1083/18 **IN PRIVATE**

Councillor O’Kane proposed that the Council move into private for the item on Whitehaven Market because of the confidential and sensitive nature of the business to be discussed and that the item on the Court Case be discussed first. This was agreed.

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.

1084/18 **Court Case**

The Clerk informed the Council on the current position with regards to the Court Case.

(i) Following a discussion it was proposed by Councillor Kane and seconded by Councillor Maudling that the four members of the Council who are attending Court be authorised to make any decision on behalf of the Council regarding last minute instructions or any other decisions including those involving costs.

RESOLVED – That the four Councillors who are attending Court be authorised to make any decisions on behalf of the Council relating to last minute instructions or any other decisions including those involving costs.

(ii) It was proposed by Councillor Gill and seconded by Councillor Hayes that the Council follow our legal advisor's advice to appoint Counsel to support the Council's defence which was in line with the terms of his initial instructions.

RESOLVED – That the Council follow its legal advisor's advice to appoint Counsel to support the Council's defence which was in line with the terms of his initial instructions.

1085/18 **Whitehaven Market**

A report was considered on the financing of Whitehaven Market for 2018/19 together with a report from CBC on the costs for 2018/19 and 2019/20. The Council were extremely disappointed that no-one from CBC had attended. Following a full discussion on this Councillors asked that the following be noted

- There is no breakdown of the actual costs incurred by CBC
- There has been no contact from the Markets Officer
- It appears that no one has taken up the work of the Markets Officer
- There is no working plan for the market
- The arrangement with CBC was to be reviewed after 2 years which ended in April 2018.

Councillor O'Kane said that there should be a Markets Committee set up together with interested parties to move things forward and progress the market for the future with CBC as a partner.

Councillor Gill proposed that the CBC report be totally rejected and that the appropriate officers from CBC be asked to meet with the Council as soon as possible to discuss the way forward. This was seconded by Councillor Maudling.

RESOLVED – That the report from CBC be rejected and that the appropriate officers from CBC be asked to meet with the Council as soon as possible to discuss the way forward.

The Meeting closed at 7.15

Chairman

