

WHITEHAVEN TOWN COUNCIL

Clerk to the Council:

Marlene Jewell

Telephone: 01946 67366

Chairman:

Councillor Brian O’Kane

To: Members of the Whitehaven Town Council

You are duly **SUMMONED** to attend an **EXTRAORDINARY MEETING** of **WHITEHAVEN TOWN COUNCIL** which will be held in **the SOLWAY HALL, WHITEHAVEN CIVIC HALL, LOWTHER STREET, WHITEHAVEN**

Date: 12th May 2021

Time: 6.30pm

Signed.....*Marlene Jewell*.....Dated.....*6th May 2021*.....
Marlene Jewell, Clerk and Responsible Financial Officer

AGENDA

1. Apologies for Absence

To receive apologies for absence

2. Declarations of Interest

To receive declarations of interests by elected members in respect of Agenda items

If a Member requires any advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote he/she is advised to contact the Clerk at least 24 hours in advance of the meeting.

3. Public Participation

4. Annual Return for 2020/21

5. Events Expenditure – Report to follow

6. Council Building Inspections

- 7. Appointment of Representative to Harbour Users Group**
- 8. Purchase of Seats for St Nicholas Gardens**
- 9. Renewal of Zoom Licence for Remote Meetings – Clerk to give a report**

IN PRIVATE

That prior to the following items of business the Chairman will move 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.

- 10. Grant to Copeland Veterans Group**
- 11. Application for Grant - RYT**

Annual Return for 2020/2021 for Approval

Purpose of the Report and Recommendation

To inform the Council that the Annual Return for the year 2020/2021 has been received from PKF Littlejohn, the Council's External Auditors and to recommend approval of the recommendations as set out in paragraph 4.1 (i), (ii), (iii), (iv) and (v) hereof.

1.0 INTRODUCTION

- 1.1 The Annual Governance and Accountability Return (AGAR) 2020/2021 has been received from PKF Littlejohn, the Council's External Auditors. The form shown at Appendix 1 has been prepared in draft pending approval by the Council. The AGAR is made up of 3 parts on pages 3-6. Sections 1 and 2 have to be completed and approved by the Council and section 3 will be completed by PKF Littlejohn, the external auditors and returned to the Council.
- 1.2 In preparation for this an Internal Audit was carried out on the Town Council by the Council's Internal Auditor Julie Hartley BA(Hons) IPFA, CILCA for the year ending 31st March 2021.

2.0 Process for The Annual Return

- 2.1 The Annual Governance and Accountability Return has been completed in draft for Council approval with assistance and guidance from the Council's Internal Auditor and which is shown at Appendix 1.
- 2.2 The Council is required by PKF Littlejohn to take the following steps: -
- (i) Firstly, the Annual Governance Statement 2020/2021 (Section 1) must be approved by the Council and signed by the Chairman and Clerk and giving the Minute reference when it was approved.
 - (ii) Secondly, the Accounting Statement 2020/2021 (Section 2) must be approved by the Council and signed by the Chairman and Responsible Financial Officer again giving the Minute reference when it was approved.
 - (iii) The Internal Auditors Report be approved.
 - (iv) The Council is required to provide electors with the opportunity to inspect the accounts and other documents for a period of 30 working days and which must include the first 10 working days of July. This means:

- The inspection period must be for a period of 30 working days inclusive;
- It must include the first 10 working days of July 2021;
- The inspection period will commence on Monday 14th June 2021 and will end on Friday 23rd July 2021 (this was suggested by PKF Littlejohn)
- The inspection period must start the day after the notice, the approved Section 1 (Annual Governance Statement 2020/2021) and approved Section 2 (Accounting Statements 2020/2021) are published on the Council's website.

- (v) The completed and approved Annual Governance and Accountability Return 2020/2021 has to be submitted to PKF Littlejohn and we propose to do this as soon as possible following the Council meeting.

3.0 INTERNAL AUDIT REPORT - 2020/2021 ACCOUNTS

- 3.0 Attached at Appendix 2 is the Internal Audit Report for the 2020/2021 Accounts which members are asked to consider and approve.

4.0 RECOMMENDATION

- 4.1 The Council's Internal Auditor has given advice and assistance on the completion of the Annual Return to ensure that it is properly completed and it is therefore recommended: -
- (i) That Section 1, The Annual Governance Statement 2020/2021 be approved by the Council and signed by the Chairman and Clerk and the Minute number inserted;
 - (ii) That Section 2, The Accounting Statements 2020/2021 be approved by the Council and signed by the Chairman and Responsible Financial Officer and the Minute number inserted;
 - (iii) That the Internal Audit Report be approved;
 - (iv) That the Annual Return be advertised for public inspection to comply with the timescales and requirements in paragraph 2.2 (iv) above and Councillors be sent a copy of this notice;
 - (v) That the completed and approved Annual Return be submitted to PKF Littlejohn as soon as possible following the Council meeting.

Annual Governance and Accountability Return 2020/21 Part 3

To be completed by Local Councils, Internal Drainage Boards and other Smaller Authorities*:

- where the higher of gross income or gross expenditure exceeded £25,000 but did not exceed £6.5 million; or
- where the higher of gross income or gross expenditure was £25,000 or less but that:
 - are unable to certify themselves as exempt (fee payable); or
 - have requested a limited assurance review (fee payable)

Guidance notes on completing Part 3 of the Annual Governance and Accountability Return 2020/21

1. Every smaller authority in England that either received gross income or incurred gross expenditure exceeding £25,000 **must** complete Part 3 of the Annual Governance and Accountability Return at the end of each financial year in accordance with *Proper Practices*.
2. **The Annual Governance and Accountability Return is made up of three parts, pages 3 to 6:**
 - The **Annual Internal Audit Report** **must** be completed by the authority's internal auditor.
 - **Sections 1 and 2** **must** be completed and approved by the authority.
 - **Section 3** is completed by the external auditor and will be returned to the authority.
3. The authority **must** approve Section 1, Annual Governance Statement, before approving Section 2, Accounting Statements, and both **must** be approved and published on the authority website/webpage **before 1 July 2021**.
4. An authority with either gross income or gross expenditure exceeding £25,000 or an authority with neither income nor expenditure exceeding £25,000, but which is unable to certify itself as exempt, or is requesting a limited assurance review, **must** return to the external auditor by email or post (not both) **no later than 30 June 2021**. Reminder letters will incur a charge of £40 +VAT:
 - the Annual Governance and Accountability Return Sections 1 and 2, together with
 - a bank reconciliation as at 31 March 2021
 - an explanation of any significant year on year variances in the accounting statements
 - notification of the commencement date of the period for the exercise of public rights
 - Annual Internal Audit Report 2020/21

Unless requested, do not send any additional documents to your external auditor. Your external auditor will ask for any additional documents needed.

Once the external auditor has completed the limited assurance review and is able to give an opinion, the Annual Governance and Accountability **Section 1, Section 2 and Section 3 – External Auditor Report and Certificate** will be returned to the authority by email or post.

Publication Requirements

Under the Accounts and Audit Regulations 2015, authorities must publish the following information on the authority website/webpage:

Before 1 July 2021 authorities **must** publish:

- Notice of the period for the exercise of public rights and a declaration that the accounting statements are as yet unaudited;
- **Section 1 - Annual Governance Statement 2020/21**, approved and signed, page 4
- **Section 2 - Accounting Statements 2020/21**, approved and signed, page 5

Not later than 30 September 2021 authorities **must** publish:

- Notice of conclusion of audit
- **Section 3 - External Auditor Report and Certificate**
- **Sections 1 and 2 of AGAR** including any amendments as a result of the limited assurance review.

It is recommended as best practice, to avoid any potential confusion by local electors and interested parties, that you also publish the Annual Internal Audit Report, page 3.

The Annual Governance and Accountability Return constitutes the annual return referred to in the Accounts and Audit Regulations 2015. Throughout, the words 'external auditor' have the same meaning as the words 'local auditor' in the Accounts and Audit Regulations 2015.

*for a complete list of bodies that may be smaller authorities refer to schedule 2 to the Local Audit and Accountability Act 2014.

Guidance notes on completing Part 3 of the Annual Governance and Accountability Return (AGAR) 2020/21

- The authority **must** comply with *Proper Practices* in completing Sections 1 and 2 of this AGAR. *Proper Practices* are found in the *Practitioners' Guide** which is updated from time to time and contains everything needed to prepare successfully for the financial year-end and the subsequent work by the external auditor.
- Make sure that the AGAR is complete (no highlighted boxes left empty), and is properly signed and dated. If the AGAR contains unapproved or unexplained amendments, it may be returned and additional costs will be incurred.
- The authority **should** receive and note the Annual Internal Audit Report before approving the Annual Governance Statement and the accounts.
- Use the checklist provided below to review the AGAR for completeness before returning it to the external auditor by email or post (not both) no later than 30 June 2021.
- The Annual Governance Statement (Section 1) must be approved on the same day or before the Accounting Statements (Section 2) and evidenced by the agenda or minute references.
- The Responsible Financial Officer (RFO) must certify the accounts (Section 2) before they are presented to the authority for approval. The authority must in this order; consider, approve and sign the accounts.
- The RFO is required to commence the public rights period as soon as practical after the date of the AGAR approval.
- Do not send the external auditor any information not specifically requested. However, **you must inform your external auditor about any change of Clerk, Responsible Financial Officer or Chairman, and provide relevant authority owned generic email addresses and telephone numbers.**
- Make sure that the copy of the bank reconciliation to be sent to your external auditor with the AGAR covers all the bank accounts. If the authority holds any short-term investments, note their value on the bank reconciliation. The external auditor must be able to agree the bank reconciliation to Box 8 on the accounting statements (**Section 2, page 5**). An explanation **must** be provided of any difference between Box 7 and Box 8. More help on bank reconciliation is available in the *Practitioners' Guide**.
- Explain fully significant variances in the accounting statements on **page 5**. Do not just send a copy of the detailed accounting records instead of this explanation. The external auditor wants to know that you understand the reasons for all variances. Include complete numerical and narrative analysis to support the full variance.
- If the external auditor has to review unsolicited information, or receives an incomplete bank reconciliation, or variances are not fully explained, additional costs may be incurred.
- Make sure that the accounting statements add up and that the balance carried forward from the previous year (Box 7 of 2020) equals the balance brought forward in the current year (Box 1 of 2021).
- The Responsible Financial Officer (RFO), on behalf of the authority, **must** set the commencement date for the exercise of public rights of 30 consecutive working days which **must** include the first ten working days of July.
- The authority **must** publish on the authority website/webpage the information required by Regulation 15 (2), Accounts and Audit Regulations 2015, including the period for the exercise of public rights and the name and address of the external auditor **before 1 July 2021**.

Completion checklist – 'No' answers mean you may not have met requirements		Yes	No
All sections	Have all highlighted boxes have been completed?		
	Has all additional information requested, including the dates set for the period for the exercise of public rights , been provided for the external auditor?	✓	
Internal Audit Report	Have all highlighted boxes been completed by the internal auditor and explanations provided?		
Section 1	For any statement to which the response is 'no', has an explanation been published?	✓	
Section 2	Has the authority's approval of the accounting statements been confirmed by the signature of the Chairman of the approval meeting?		
	Has an explanation of significant variations from last year to this year been published?	✓	
	Has the bank reconciliation as at 31 March 2021 been reconciled to Box 8?	✓	
	Has an explanation of any difference between Box 7 and Box 8 been provided?	✓	
Sections 1 and 2	Trust funds – have all disclosures been made if the authority as a body corporate is a sole managing trustee? NB: do not send trust accounting statements unless requested.	✓	

**Governance and Accountability for Smaller Authorities in England – a Practitioners' Guide to Proper Practices*, can be downloaded from www.nalc.gov.uk or from www.ada.org.uk

Annual Internal Audit Report 2020/21

WHITEHAVEN TOWN COUNCIL

www.whitehaventowncouncil.co.uk

During the financial year ended 31 March 2021, this authority's internal auditor acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with the relevant procedures and controls in operation and obtained appropriate evidence from the authority.

The internal audit for 2020/21 has been carried out in accordance with this authority's needs and planned coverage. On the basis of the findings in the areas examined, the internal audit conclusions are summarised in this table. Set out below are the objectives of internal control and alongside are the internal audit conclusions on whether, in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of this authority.

Internal control objective	Yes	No*	Not covered**
A. Appropriate accounting records have been properly kept throughout the financial year.	✓		
B. This authority complied with its financial regulations, payments were supported by invoices, all expenditure was approved and VAT was appropriately accounted for.	✓		
C. This authority assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.			✓ Autumn 2021.
D. The precept or rates requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.	✓		
E. Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.	✓		
F. Petty cash payments were properly supported by receipts, all petty cash expenditure was approved and VAT appropriately accounted for.			✓ No Petty Cash.
G. Salaries to employees and allowances to members were paid in accordance with this authority's approvals, and PAYE and NI requirements were properly applied.	✓		
H. Asset and investments registers were complete and accurate and properly maintained.	✓		
I. Periodic bank account reconciliations were properly carried out during the year.	✓		
J. Accounting statements prepared during the year were prepared on the correct accounting basis (receipts and payments or income and expenditure), agreed to the cash book, supported by an adequate audit trail from underlying records and where appropriate debtors and creditors were properly recorded.	✓		
K. If the authority certified itself as exempt from a limited assurance review in 2019/20, it met the exemption criteria and correctly declared itself exempt. (If the authority had a limited assurance review of its 2019/20 AGAR tick "not covered")			✓
L. If the authority has an annual turnover not exceeding £25,000, it publishes information on a website/webpage up to date at the time of the internal audit in accordance with the Transparency code for smaller authorities.	✓		
M. The authority, during the previous year (2019-20) correctly provided for the period for the exercise of public rights as required by the Accounts and Audit Regulations (evidenced by the notice published on the website and/or authority approved minutes confirming the dates set).	✓		
N. The authority has complied with the publication requirements for 2019/20 AGAR (see AGAR Page 1 Guidance Notes).	✓		
O. (For local councils only) Trust funds (including charitable) – The council met its responsibilities as a trustee.	Yes	No	Not applicable
			✓

For any other risk areas identified by this authority adequate controls existed (list any other risk areas on separate sheets if needed).

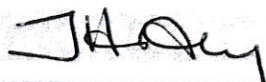
Date(s) internal audit undertaken

26/04/2021 29/04/2021 03/05/2021

Name of person who carried out the internal audit

MRS JULIE HARTLEY

Signature of person who carried out the internal audit



Date

03/05/2021

*If the response is 'no' please state the implications and action being taken to address any weakness in control identified (add separate sheets if needed).

**Note: If the response is 'not covered' please state when the most recent internal audit work was done in this area and when it is next planned; or, if coverage is not required, the annual internal audit report must explain why not (add separate sheets if needed).

Section 1 – Annual Governance Statement 2020/21

We acknowledge as the members of:

WHITEHAVEN TOWN COUNCIL

our responsibility for ensuring that there is a sound system of internal control, including arrangements for the preparation of the Accounting Statements. We confirm, to the best of our knowledge and belief, with respect to the Accounting Statements for the year ended 31 March 2021, that:

	Agreed		*Yes' means that this authority:
	Yes	No*	
1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements.	✓		prepared its accounting statements in accordance with the Accounts and Audit Regulations.
2. We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	✓		made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.
3. We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and Proper Practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances.		✓	has only done what it has the legal power to do and has complied with Proper Practices in doing so. <i>Please see note attached</i>
4. We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.	✓		during the year gave all persons interested the opportunity to inspect and ask questions about this authority's accounts.
5. We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	✓		considered and documented the financial and other risks it faces and dealt with them properly.
6. We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems.	✓		arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of this smaller authority.
7. We took appropriate action on all matters raised in reports from internal and external audit.	✓		responded to matters brought to its attention by internal and external audit.
8. We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this authority and, where appropriate, have included them in the accounting statements.	✓		disclosed everything it should have about its business activity during the year including events taking place after the year end if relevant.
9. (For local councils only) Trust funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets, including financial reporting and, if required, independent examination or audit.	Yes	No	N/A
			✓
			has met all of its responsibilities where, as a body corporate, it is a sole managing trustee of a local trust or trusts.

*Please provide explanations to the external auditor on a separate sheet for each 'No' response and describe how the authority will address the weaknesses identified. These sheets must be published with the Annual Governance Statement.

This Annual Governance Statement was approved at a meeting of the authority on:

[Signature]

and recorded as minute reference:

[Signature]

Signed by the Chairman and Clerk of the meeting where approval was given:

Chairman

Clerk

[Signature]
[Signature]

Note on Box 3 of Section 1 to the Annual Governance Statement

In accordance with the statement on your Auditor Report and Certificate 2019/20 Box 3 of Section 1 of the Annual Government Statement has been answered "no". However I would like to qualify this by saying that the Council recognises there may have been a slight detraction from normal processes during part of 2020 due to lockdown and the urgent needs of the covid crisis, but the Council also recognises that all payments were of a legal nature and they understand the need in future that all conflicts of interest and declarations of interest are made concurrent to the payment being processed.

Section 2 – Accounting Statements 2020/21 for

WHITEHAVEN TOWN COUNCIL

	Year ending		Notes and guidance
	31 March 2020 £	31 March 2021 £	
1. Balances brought forward	404,162	355,334	<i>Total balances and reserves at the beginning of the year as recorded in the financial records. Value must agree to Box 7 of previous year.</i>
2. (+) Precept or Rates and Levies	442,558	437,769	<i>Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.</i>
3. (+) Total other receipts	45,193	55,783	<i>Total income or receipts as recorded in the cashbook less the precept or rates/levies received (line 2). Include any grants received.</i>
4. (-) Staff costs	85,172	87,769	<i>Total expenditure or payments made to and on behalf of all employees. Include gross salaries and wages, employers NI contributions, employers pension contributions, gratuities and severance payments.</i>
5. (-) Loan interest/capital repayments	0	0	<i>Total expenditure or payments of capital and interest made during the year on the authority's borrowings (if any).</i>
6. (-) All other payments	451,407	285,975	<i>Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).</i>
7. (=) Balances carried forward	355,334	475,142	<i>Total balances and reserves at the end of the year. Must equal (1+2+3) - (4+5+6).</i>
8. Total value of cash and short term investments	353,854	471,050	<i>The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – To agree with bank reconciliation.</i>
9. Total fixed assets plus long term investments and assets	221,058	286,613	<i>The value of all the property the authority owns – it is made up of all its fixed assets and long term investments as at 31 March.</i>
10. Total borrowings	0	0	<i>The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).</i>
11. (For Local Councils Only) Disclosure note re Trust funds (including charitable)	Yes	No	<i>The Council, as a body corporate, acts as sole trustee for and is responsible for managing Trust funds or assets.</i>
		✓	<i>N.B. The figures in the accounting statements above do not include any Trust transactions.</i>

I certify that for the year ended 31 March 2021 the Accounting Statements in this Annual Governance and Accountability Return have been prepared on either a receipts and payments or income and expenditure basis following the guidance in Governance and Accountability for Smaller Authorities – a Practitioners' Guide to Proper Practices and present fairly the financial position of this authority.

Signed by Responsible Financial Officer before being presented to the authority for approval

Martene Jewell

Date *6th May 2021*

I confirm that these Accounting Statements were approved by this authority on this date:

as recorded in minute reference:

Signed by Chairman of the meeting where the Accounting Statements were approved

Section 3 – External Auditor’s Report and Certificate 2020/21

In respect of

1 Respective responsibilities of the auditor and the authority

Our responsibility as auditors to complete a **limited assurance review** is set out by the National Audit Office (NAO). A limited assurance review is **not a full statutory audit**, it does not constitute an audit carried out in accordance with International Standards on Auditing (UK & Ireland) and hence it **does not** provide the same level of assurance that such an audit would. The UK Government has determined that a lower level of assurance than that provided by a full statutory audit is appropriate for those local public bodies with the lowest levels of spending.

Under a limited assurance review, the auditor is responsible for reviewing Sections 1 and 2 of the Annual Governance and Accountability Return in accordance with NAO Auditor Guidance Note 02 (AGN 02) as issued by the NAO on behalf of the Comptroller and Auditor General. AGN 02 is available from the NAO website – <https://www.nao.org.uk/code-audit-practice/guidance-and-information-for-auditors/> .

This authority is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The authority prepares an Annual Governance and Accountability Return in accordance with *Proper Practices* which:

- summarises the accounting records for the year ended 31 March 2021; and
- confirms and provides assurance on those matters that are relevant to our duties and responsibilities as external auditors.

2 External auditor’s limited assurance opinion 2020/21

(Except for the matters reported below)* on the basis of our review of Sections 1 and 2 of the Annual Governance and Accountability Return, in our opinion the information in Sections 1 and 2 of the Annual Governance and Accountability Return is in accordance with Proper Practices and no other matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met. (*delete as appropriate).

(continue on a separate sheet if required)

Other matters not affecting our opinion which we draw to the attention of the authority:

(continue on a separate sheet if required)

3 External auditor certificate 2020/21

We certify/do not certify* that we have completed our review of Sections 1 and 2 of the Annual Governance and Accountability Return, and discharged our responsibilities under the Local Audit and Accountability Act 2014, for the year ended 31 March 2021.

*We do not certify completion because:

External Auditor Name

External Auditor Signature

Date

**INTERNAL AUDIT REPORT 2020-21 ACCOUNTS
PERFORMED BY JULIE HARTLEY, IPFA, CILCA**

NAME OF PARISH: WHITEHAVEN TOWN COUNCIL

COMPLETION DATE: 3rd May 2021

SUMMARY STATEMENT:

Overall, financial controls were found to be sound and confidence can be taken that transactions are made in line with the Council's regulations. I made some year-end adjustments for debtors and creditors, which had been incorrectly calculated and this has resulted in correct and reconciling balances which will be reviewed by the external auditor. I have spoken to the Clerk about the completeness of the risk assessment, which needs to be updated to include property matters and I understand that this is in preparation. I will review this when I conduct my interim audit in Autumn this year.

SUMMARY OF TESTING AND FINDINGS

Internal Control area	Documents reviewed	Findings
Overall financial controls set properly	Financial Regulations Standing Orders Minutes	Up to date.
Budgetary Control – proper arrangements	Budget for 2020/21 Council minutes	Budget Calculation to support precept satisfactory.
Expenditure – authorisation in accordance with standing orders.	Invoices Minutes	Good.
Expenditure – accounting	Cash Book Bank reconciliations	Cash Book is complete. Brought forward balance was corrected for cancelled payments.
Income controls	Cash book Bank statements	Income is properly stated and controlled.
Payroll – legally performed	Payroll records	Payroll calculation done via HMRC online.
Risk Management	Insurance Policy Risk management policy	In place Will review at Autumn visit
Asset Management	Asset register	Updated. Questioned whether should include value of Council property.
Information Management (Transparency Code)	Web site	Satisfactory

COUNCIL BUILDING INSPECTIONS

To consider a report on the inspections required to be carried out to the Council's building and to authorise the checks to be carried out.

1.0 INTRODUCTION

- 1.1 The Council owns the building 148 Queen Street Whitehaven and moved into the ground floor in July 2020. As owner of the building the Council has a duty to ensure that all necessary safety checks are carried out.
- 1.2 The Council moved into 148 Queen Street Whitehaven in July 2020 and in the previous month had had various safety checks carried out in the previous month. As owner of the building the Council is required to carry out the following checks each year:-
 - Fire Safety – checking extinguishers, alarms etc
 - Electrical Safety Certificate
 - PAT testing of equipment
 - Gas safety Certificate
- 1.3 In addition there should be checks for Legionella. In the UK every business or place of work must be risk assessed for legionella bacteria and the risks posed by them. Water tanks, water heaters, hot and cold water taps, pipework, showers, cooling towers, hot tubs, water features etc all must be checked and risk assessed to determine how big a risk they may pose in relation to contamination by the bacteria and legionnaires disease. So our building needs to be checked and written risk assessed prepared.

- 1.4 The building may also need to be properly inspected by a building professional to check the state of repair.
- 1.5 On a day to day basis it is the Clerk's responsibility to ensure that all health and safety issues in the building are attended to and all certificates up to date and any necessary repairs carried out.

2.0 RECOMMENDATION

- 2.1 That the Clerk be authorised to have all the above checks mentioned carried out with 3 quotes being obtained where possible; all identified repairs carried out; and all necessary certificates renewed so that the Council will be in compliance with the Regulations and its duties and responsibilities towards staff.

APPOINTMENT OF REPRESENTATIVE TO HARBOUR USERS GROUP

To consider an invitation from Whitehaven Harbour Commissioners for a representative from the Town Council to sit on the Harbour Users Group and to appoint that representative.

1.0 INTRODUCTION

- 1.1 The Council has received an invitation from Whitehaven Harbour Commissioners for a member of the Town Council to sit on the Harbour Users Group. A copy of a draft Agenda and The Terms of Reference are attached at Appendix 1.
- 1.2 The first meeting of the Group has been arranged for 24th May 2021 at 1.00pm.

2.0 RECOMMENDATION

- 2.1 The Council is requested to consider this invitation and to appoint a Councillor to represent the Council on the Harbour Users Group



Whitehaven Harbour Users Group Agenda

Rum Story Boardroom

Date/Time: TBC

1. Introduction

- Chair to open meeting

2. Safety Share

- Opportunity for members to share learning on a safety, environmental or security related topic

3. Learning from Experience

- Opportunity for members to share knowledge or learning on topics relevant to Harbour Operations

4. Minutes/Actions from previous meeting

- Review previous meeting minutes and current status of actions

5. Areas of Concern/Areas for Improvement

- Opportunity for each member to raise problems/concerns and request support from other members if required
- Opportunity for each member to discuss improvement areas and request support from other members if required

6. Successes, Opportunities and Threats

- Opportunity for members to discuss successes, opportunities and potential threats

7. Programme of Visits, Activities & Events

- Opportunity for members to provide brief feedback on upcoming visits, events and activities

8. AOB

Whitehaven Harbour Users Group

Terms of Reference

1. Group Mission

To work collaboratively for the betterment of the harbour and ensure that the potential of the harbour is realised without detriment to the health, safety and security of users, harbourside assets and the environment.

2. Group Periodicity

Group will meet 6 times per year on a bi-monthly basis.

3. Group Objectives

- To promote and facilitate the safe use of the harbour and its' environs.
- To engage and consult with key stakeholders regarding harbour business.
- To promote successes, identify opportunities and tackle threats.
- To identify and discuss improvements that will enhance operations, maintenance and/or safety of harbourside activities and assets within the constraints of the organisation.
- To discuss and resolve areas of concern and implement areas for improvement.
- To discuss the learning from relevant accidents, incidents and events.
- To share advice, learning and best practice.
- To inform group members of planned activities and events.

4. Group Membership

Membership will be restricted to 10 persons with others attending by invitation only. A minimum of five members must be in attendance for the Group to be quorate.

- Whitehaven Harbour Operations Manager (Chair)
- Whitehaven Harbour Commissioners Chief Executive Officer
- Representative of Whitehaven Fishermen's Cooperative
- Representative of Marine Management Organisation
- Representative of Cumbria Constabulary
- Representative of Whitehaven Marina Ltd
- Representative of Whitehaven Harbour Youth Project
- Representative of Whitehaven Town Council
- Representative of Local Coastguard Agency

PURCHASE OF 4 SEATS FOR ST NICHOLAS GARDENS

To consider a request to purchase 4 Lowther type seats to replace some seats in St Nicholas Gardens that have become dilapidated.

1.0 INTRODUCTION

- 1.1 The Chairman has asked if it is possible to purchase 4 Lowther seats to replace some seats in St Nicholas Gardens that have become dilapidated. The seats are to commemorate all those people in Whitehaven who have been affected by the coronavirus pandemic so that locals and visitors can sit in quiet contemplation. The Council has installed many Lowther seats throughout the Town. The seats were purchased from Glasdons and all have the Council's crest on them.
- 1.2 The cost of each Lowther seat is £520.90 plus VAT plus an amount for fixing, £83.60 for a commemorative plaque and approximately £40 for the Council's crest.
- 1.3 No quotes have been taken for the purchase of the seats but the Council has purchased Lowther seats from Glasdons in the past where they have submitted successful quotes.
- 1.4 If the Council agrees to the request and wish to purchase the seats from Glasdons they will have to consider suspending Financial Regulation 11 in accordance with Financial Regulation 18 which states "The council may, by resolution of the council duly notified prior to the relevant meeting of council, suspend any part of the Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of council".

1.5 Reasons for suspension in 1.4 above are:

- Glasdons are a trusted and efficient customer- orientated company
- It is a value for money, quality service

The Risks for 1.5 above

- There is a risk that the goods could be provided cheaper by another company but it is a very small risk and then there is the known value for money and quality service that is given by Glasdons.

1.6 There is a budget of £20,000.00 for bus shelters bins and seats and the 4 seats would come out of that. The power to purchase the seats is under s144 of the Local Government Act.

2.0 RECOMMENDATION

2.1 That Members consider whether or not to purchase 4 Lowther seats for St Nicholas Gardens at a cost of £520.90 VAT per seat plus an amount for fixing, £83.60 for a commemorative plaque and approximately £40.00 for the Council's crest and if so

2.2 That Members make a resolution to suspend Financial Regulation 11 to allow the Council to purchase 4 Lowther seats from Glasdons at a cost of £520.90 plus VAT per seat plus an amount for fixing, £83.60 for a commemorative plaque and approximately £40.00 for the Council's crest. If such a resolution is made to then

2.1 The Council are asked to make a resolution to record the reasons for suspension and consider the assessment of the risks drawn up and presented and approve the same.