

WHITEHAVEN TOWN COUNCIL

Minutes of the Council Meeting held on 27th January 2022

Present: Councillor C Hayes (Chairman); Councillor E Dinsdale; Councillor G Dinsdale; Councillor R Gill; Councillor C Maudling; Councillor B O’Kane; Councillor J Rayson; Councillor G Roberts; Councillor R Redmond;

M. Jewell, Clerk and Responsible Financial Officer

V Gorley, Assistant Clerk

Member of the Public

Before the Meeting started the Clerk informed the Council that Carla Arrighi had resigned as a Councillor for Whitehaven Town Council due to the fact that the Council could not hold virtual meetings. The Clerk said that she had acknowledged Carla Arrighi’s resignation, thanked her for all the work that she had done and wished her all the best for the future. She said that Copeland’s Electoral and Democratic Services Manager had been informed.

1932/22 Apologies for Absence

Apologies for absence were received as follows:-

Councillor Walmsley

Work Commitments

It was proposed by Councillor Hayes and seconded by Councillor O’Kane that the apologies for absence given be accepted and noted. A vote was held and it was unanimously

RESOLVED - That the apologies for absence be accepted and noted.

1933/22 Declarations of Interest

Councillor Roberts declared that he was a member of Cumbria County Council
Councillor Rayson declared an interest in Item 9 as she was an allotment holder

Councillor Maudling entered the Meeting and declared an interest in Item 5 as he was a member of CBC’s Planning Panel

1934/22 Public Participation

A member of the public (DT) attended to speak about the drains in Hensingham. He said

- The drains were overloaded and in the early 2000s United Utilities had built storm holding tanks. When the drains in Hensingham get to 147 litres a second the drain water goes into the storm holding tanks where it is supposed to stay until the storms pass and then it goes back down the sewer.
- The storm overflow tanks have overflows on them. The overflows for Winston Drive overflow tanks discharged straight into the back of his garden and into the stream which he owned and has been in his garden since 1830 and it is a listed building.
- This was damaging his wall, the river bank and the river bed.
- United Utilities are in complete denial about this and say the damage is upstream but that he had studied fluid dynamics at university and could categorically state that it is not upstream it is right where the pipe discharges
- The overflow that we are talking about from sewage in 2018 there was 184 hours of discharge of untreated sewage into his garden. In 2019 186 hours; in 2020 214 hours
- He said he owned the riparian rights and was entitled to unpolluted water. He said the smell and stench that comes out of there is unbelievable. He said it then went down his garden into Pow Beck and straight into the harbour by Zest. There are no warning notices and nothing to tell people that there is raw sewage discharging anywhere.
- United Utilities say that they are doing nothing wrong because they have a permit from the Environment Agency.
- He said he had had a solicitor dealing with this for the last 3 years and they had done an environmental search which said that there were no pollution incidents. But he said that he had reported 80 plus pollution incidents
- He said that everyone was just burying their heads and that in October when the river had burst its banks the sewage went everywhere, Hensingham Square and up to road level at Ribton Moorside. He said there a lot of sludge from this was still there now and several people were sent by the Council to clean it up but the sludge was still all over Beck Bottom
- He said Planning have agreed for more houses to be put up on the former Sekers site and United Utilities were planning on increasing the surface water discharge into his river and the listed wall in his garden was going to come down.
- He said the problems started in his garden and went down to the harbour

Following a discussion it was agreed that the Clerk would write to United Utilities and CBC to express concern about this matter.

1935/22 Minutes of the Meeting held on 2nd December 2021

It was proposed by Councillor Gill and seconded by Councillor Roberts that the Minutes of the Meeting held on 2nd December 2021 be approved and signed by the Chairman as a correct record. A vote was held and 8 Councillors voted for the proposal and 1 Councillor abstained.

RESOLVED -That the Minutes of the Meeting held on 2nd December 2021 be approved and signed by the Chairman as a correct record.

1936/22 Planning Applications

The Council considered a list of Planning Applications received and shown at Appendix 1. Following a discussion it was proposed by Councillor O’Kane and seconded by Councillor Roberts that the following representations and objections to Planning Applications Nos 4/21/2195/0R1 and 4/21/2196/0O1 be forwarded to CBC

- i. That CBC be requested to the two Planning Applications Nos 4/21/2195/0R1 and 4/21/2196/0O1 be referred to the Planning Panel of CBC on the grounds of the anomaly relating to reserved matters and whether these reserve matters have been appropriately put through and whether they are repetitions of previous applications
- ii. That these applications represent a fragmented approach to the Town and are not looking at the totality of it
- iii. It is overcrowding to build 90 houses on a strip of land that size and there are still problems with traffic management that have not been addressed
- iv. There are access problems
- v. There are infrastructure issues in the area due to the strain it puts on the rest of Whitehaven

There were no further representations

A vote was taken on the proposals and 8 Councillors voted for the proposal and 1 Councillor abstained

RESOLVED – That the representations/objections in i to v above be forwarded to CBC

1937/22 Finance Report

The Council considered a Finance report.

- i. Appendix 1 – The Clerk reported that there was 1 extra invoice to be considered namely:

Cumbria Media

£142.00 for uploading and

maintenance of website

It was proposed by Councillor Hayes and seconded by Councillor Roberts that the Invoices shown at Appendix 1 together with the 1 extra invoice above be approved and paid. A vote was taken and it was unanimously

RESOLVED – That the Invoices shown on Appendix 1 together with the 1 extra invoices above be approved and paid.

- ii. Appendices 2 and 3 – It was proposed by Councillor Gill and seconded by Councillor Hayes that Appendices 2 and 3 be approved and noted. A vote was held and it was unanimously

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

1938/22 Approval of Setting of Budget and Precept for 2022/23

The Council considered a report and documents on the Revenue Budget and Precept for 2022/23 which incorporated recommendations made following 4 meetings of the Budget Setting Advisory Group held on 22nd November 2021, 29th November 2021, 13th December 2021 and 20th January 2022. The recommendations were read out to the Council. No comments were made on the report and no amendments were proposed. It was proposed by Councillor Hayes and seconded by Councillor Gill that the following recommendations be approved :-

- i. That the Council consider the proposed 2022/23 Revenue Budget and Precept;
- ii. Make any proposed amendments;
- iii. Subsequent to i and ii above approve the 2022/23 Revenue Budget and Precept; and
- iv. Agree that the Chairman and Clerk sign the Precept 2022/23 Form received from Copeland Borough Council to advise Copeland Borough Council of the approved Whitehaven Town Council Precept for 2022/23 to inform the setting of the overall Council Tax requirements.

A vote was held and 8 Councillors voted for the proposal and 1 Councillor voted against

RESOLVED – That the recommendations contained in i to iv above be approved.

1939/22 Recommendations of Events Advisory Group

The Council considered a report on recommendations made by the Events Advisory Group as follows:-

- i. That 4 official Platinum Jubilee flags be purchased at a cost of approximately £20 per flag to be put up in each corner of St Nicholas Gardens.
- ii. That an extra 200 metres of bunting and rope be purchased at a cost of approximately £225.00
- iii. That the Council makes a Resolution to suspend Financial Regulations to allow the Council's contractor (CCC) to erect and dismantle the bunting throughout the town and harbourside at a cost of £2500 and that following suspension the reasons for suspension be considered and recorded together with an assessment of the risks
- iv. That a hospitality event for the Council's sponsors and those who have helped the Council be held in the marquee on St Nicholas Gardens housing the Photographic Exhibition. Gerard Richardson said he would provide the wine free of charge and that cake would also be provided
- v The Clerk reported that she would be sending out an information pack to Councillors containing information/suggestions for local Community Organisations on what events could be organised by them for the Platinum Jubilee so that Councillors could circulate the pack to the Community Organisations in their Wards.

Following a discussion it was

- a. Proposed by Councillor Gill and seconded by Councillor Hayes that recommendations i, ii, iv. and v above be approved. A vote was held and it was unanimously

RESOLVED – That recommendations i, ii, iv and v above be approved and actioned

- b. It was proposed by Councillor Gill and seconded by Councillor Hayes that in respect of iii above that the Council makes a resolution to Suspend Financial Regulations to allow the Council's Contractor to erect and dismantle the bunting throughout the town and harbourside at a cost of £2,500.00. A vote was held and it was unanimously

RESOLVED – That the Council make a resolution to Suspend Financial Regulations to allow the Council's Contractor to erect and dismantle the bunting throughout the town and harbourside at a cost of £2,500.00.

- c. It was proposed by Councillor Roberts and seconded by Councillor Gill that having made the resolution in b above that having considered the reasons for suspension that they be recorded and approved and that the assessment of the risks be recorded and approved. A vote was held and it was unanimously

RESOLVED - That having made the resolution in b above and having considered the reasons for suspension that they be accepted and approved and that the assessment of the risks be accepted and recorded.

1940/22 **Recommendations of Allotments Advisory Group**

The Council considered a report on recommendations made by the Allotments Advisory Group. It was proposed by Councillor Gill and seconded by Councillor Roberts that the recommendations in paragraph 2.5 of the report be approved and that the information contained in the report be noted. A vote was held and 8 Councillors voted for the proposal and 1 Councillor abstained

RESOLVED - That the recommendations in paragraph 2.5 of the report be approved and that the information contained in the report be noted.

1941/22 **Recommendations from Steering Group on Office Accommodation**

The Clerk gave a report on a meeting between the Council's Architect and the Steering Group on Office Accommodation which had been held by zoom on 25th January 2022 to discuss the way forward. Documents were discussed namely Phase 1 Architectural inclusions and Phase 1 Mechanical and Electrical inclusions. The Steering Group made recommendations and these were circulated to the Council prior to the Council Meeting. Councillor O'Kane explained that this was an update and part of the process and was trying to give the Council an idea of what works could be done and that everything on the circulated documents had to be costed so that the Council could decide what it wanted to do. He stated that no decisions would be taken by the Steering Group and that all decisions would be made by full Council. Following a discussion it was proposed by Councillor Gill and seconded by Councillor Roberts that the recommendations from the Steering Group shown on the documents including the additional 3 recommendations be approved. A vote was held and it was unanimously

RESOLVED - That the recommendations from the Steering Group shown on the documents including the 3 additional recommendations be approved.

1942/22 **Christmas Lights Infrastructure**

1. The Council considered a report on the Christmas Lights Infrastructure. As part of the continuing upgrade of the Christmas lights infrastructure the Council's Contractor had recommended the purchase of 500mtrs of stainless steel PVC 4mm catenary wire, 50 x 10mm stainless steel tensioners, 100 stainless steel eyelets and 100 stainless steel U bolts.

Quotes for this had been obtained as follows:-

- Supplier A £1,451.28 plus VAT
- Supplier B £1,851.85 plus VAT
- Supplier C £1,282.50 plus VAT

It was proposed by Councillor Gill and seconded by Councillor Roberts that the materials be purchased and the quote from Supplier C be accepted. A vote was held and it was unanimously

RESOLVED – That the materials be purchased and the quote from Supplier C be accepted.

2. The Council also considered a quote received from the Contractor to install the catenary wire etc in streets in Whitehaven in the sum of £2,195.86 plus VAT. In order to allow the Contractor to carry out the work the Council had to consider making a resolution to suspend Financial Regulations 11 and if doing so then under Financial Regulation 18 had to agree and record the reasons for suspension and also the risk assessment. The reasons for suspension and assessment of the risks were stated in the report

- i. It was proposed by Councillor Hayes and seconded by Councillor Gill that in accordance with Financial Regulation 11 a resolution be made to allow the Contractor to carry out the work at a cost of £2,195.86. A vote was held and it was unanimously

RESOLVED – That in accordance with Financial Regulation 11 a resolution be made to allow the Contractor to carry out the work at a cost of £2,195.86.

- ii. Having then made the resolution it was proposed by Councillor Hayes and seconded by Councillor Roberts that in accordance with Financial Regulation 18 the assessment of the risks be accepted and recorded. A vote was held and it was unanimously

RESOLVED - That in accordance with Financial Regulation 18 the assessment of the risks be accepted and recorded.

1943/22 Christmas Lights Upgrade

The Council considered a report on Christmas Lights Upgrade which included quotes from 3 suppliers for the purchase of extra lights
Councillor Rayson wished it to be noted that if the Council was going to spend money on lights then she would like the lights to be on for a longer period.
It was proposed by Councillor Gill and seconded by Councillor Hayes that the quote received from supplier C be accepted and the goods purchased in the sum of £3,716.00 plus VAT. A vote was held and it was unanimously

RESOLVED – That the quote for lights received from supplier C in the sum of £3,716.00 plus VAT be accepted and the lights purchased

1944/22 Quotes Received for Johnson House Defibrillator

Further to Minute 1936/21 the Council considered quotes received for the re-routing of the wiring for the defibrillator at Johnson House. It was proposed by Councillor Gill and seconded by Councillor Roberts that the quote from Electrical Contractor D be accepted and the work be carried out. A vote was held and it was unanimously

RESOLVED - That the quote from Electrical Contractor D be accepted and the work be carried out.

1945/22 Attendance at Council Meetings

The Clerk said that in the circumstances that this Report should be withdrawn and this was agreed. No discussion took place on the report and no decisions were made.

1946/22 Councillor Ward Matters

- i. Councillor G Dinsdale asked if there was an update on the bus shelter at Loop Road South. The Clerk said that she had written to the complaints department of Highways England twice but had not received a reply but that she would keep trying.
- ii. Councillor E Dinsdale said there was dog muck all around town and asked what could be done about this to encourage residents to pick up and asked if the Council could start a campaign. The Chairman said that Dog Wardens would be a help
- iii. Councillor Maudling said that dog fouling was really in the whole of Copeland and that there was a problem with dog fouling and that he had had a meeting Enforcement the next week to see what could be done about it.
- iv. Councillor Maudling said the Police were doing a good job in Whitehaven
- v. Councillor Rayson referred to the Hillcrest Community Centre and said that herself and Councillor O’Kane had met with representatives of a group proposing to take on a lease. The Committee had not been set up as yet but that it all looked quite positive and that this was good for the area. Councillor O’Kane said they had until 31/01/22 to get together as a group and run the building.
- vi. Councillor Roberts said that he had been contacted by a resident who was having problems with dog poo outside her house. He said it was important that CBC get a grip of it because it was dangerous for kids.
- vii. Councillor Gill referred to the roads and parking at Hensingham and said that CCC Highways had told him the problem with the roads was surface damage and not potholes. He said he had been working with Mike Hawkins on this

- viii. Councillor Hayes said at Kells they had started the ball rolling with Jubilee Events and that there would be a big event on the Welfare field and they were well on the way to getting it organised and that they had had a major input on this from young kids
- ix. Councillor O’Kane asked about the Bus Shelter at Bransty and was informed that the licence was still awaited from CBC
- x. Councillor O’Kane said the Bay Vista planning application had been refused on the basis that the drainage scheme was totally inadequate for the proposal. He said this application had bypassed CBC and went straight to the Planning Inspector.
- xi. Councillor O’Kane said he had asked Matthew Reed to do a review of all primary schools in Whitehaven and in particular the Review that exists for St Benedict’s and the Whitehaven Academy was still waiting for this to come through
- xii. Councillor Redmond referred to parking on Hensingham Main Street and in particular near the chip shop and that residents had complained about this.
- xiii. Councillor Hayes Said he had had a meeting with Mayor Starkie and had asked him to give the Mayoral robes and Regalia to the Town Council and had been fobbed off again but that he did not intend to give up on this. He said the engraving on every link said Whitehaven Borough Council
- xiv. Councillor Gill said in 1973/74 it was decided not to have a Whitehaven Town Council and all the others like Cleator Moor, Egremont and Millom got their Market Halls. He said the chain was given to the people of Whitehaven by the first Mayor of Whitehaven Lord Lonsdale. He said this was historic value to this town and we should be getting it and that if we don’t get an asset transfer of the Regalia we should complain about this
- xv. Councillor Roberts said he thought we should allow a little more time to elapse and if nothing was forthcoming then it should be referred to Michael Gove
- xvi. Councillor O’Kane said the decision on something like this goes to CBC full Council for decision and not to the Mayor Of Copeland and that if this Council decides to ask for the Mayoral Regalia then it goes before the Council for decision not the Mayor.

1947/22 Date and Time and Venue of Next Meeting

The next Council Meeting would be on 24th February 2022 at 6.00pm at the Beacon Portal.

Councillor Roberts left the meeting

IN PRIVATE

1948/22 That prior to the following items 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 meeting. Councillor Gill proposed this and Councillor G Dinsdale seconded it. A vote was held and it was unanimously

RESOLVED - 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 meeting.

Councillor Roberts came back into the Meeting

1949/22 **Application for Council Grant** - TTCWCWOW

The Council considered a report on a Grant application by TTCWCWOW
The power to award the grant was under section 137 of the Local Government Act 1972 which requires a resolution to say that

- (i) There is a direct benefit to the area or part of the area or to some or all of the inhabitants of the area and
- (ii) That the direct benefit accruing to its area or residents is commensurate with the expenditure incurred

It was proposed by Councillor Gill and seconded by Councillor Roberts that the Council pass a resolution that the Grant application complies with the provisions of s 137 of the Local Government Act 1972 given in (i) and (ii) above and that the Council Grant be awarded. A vote was held and it was unanimously

RESOLVED - That the Council Grant application complies with the provisions of s 137 of the Local Government Act 1972 given in (i) and (ii) above and that a Council Grant of £1,000 be awarded to TTCWCWOW.

1950/22 **Application for Council Grant** - WCT

The Council considered a report on a Grant application by WTC
However the status of the organisation was not clear and it was proposed by Councillor Gill and seconded by Councillor Hayes that consideration of the application be deferred to the next Council Meeting to check the charitable status of the organisation. A vote was held and it was unanimously

RESOLVED - That consideration of the application be deferred to the next Council Meeting to check the charitable status of the organisation.

The Meeting closed at 7.45



Chairman