

# WHITEHAVEN TOWN COUNCIL

**Clerk and Responsible Financial Officer:** Marlene Jewell  
Telephone: 01946 67366  
**Chairman:** Councillor Brian O’Kane

To: **Members of Whitehaven Town Council**

You are duly **SUMMONED** to attend a **VIRTUAL MEETING** for an **EXTRAORDINARY MEETING** of **WHITEHAVEN TOWN COUNCIL** requested by **Councillor E Dinsdale and Councillor G Dinsdale** under **Standing Order 6** which will be held on **Wednesday 12th August 2020** at **6:00pm** on the **Zoom Platform** to transact the business contained in the attached Agenda.

The Meeting takes place under the authorisation scheme outlined in the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) (Regulations) 2020.

**Join Zoom Meeting:**

<https://us02web.zoom.us/j/82278756898?pwd=cWlpaFJYOvNGVGR6emYrdnp5MHBwZz09>

**Meeting ID:** 822 7875 6898

**Password:** 094294

Signed.......... Dated..........  
Marlene Jewell, Clerk and Responsible Financial Officer

**AGENDA**

All Councillors and members of the public attending the virtual meeting should be aware that by joining the meeting they are agreeing to the following guidelines:

- a) The meeting may be recorded for the purpose of minute taking and will be disposed of within 24 hours;
- b) All attendees should have their microphones on mute;
- c) To adhere to the Council’s Code of Conduct and Standing Orders;
- d) Only unmute microphones when invited to do so;
- e) Speak clearly and look into the camera;
- f) Turn phones to silent;
- g) Be aware of time lags and allow time for participants to respond;
- h) Introduce themselves when raising a point;
- i) Respond to the Chair when their name is called;
- j) Be aware of your background and what others can see behind you

**1. Apologies for Absence**

**2. Declarations of Interest**

To receive declarations of interest 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. Councillors E Dinsdale, G Dinsdale, C Arrighi and R Redmond – Report of Concerns while the Council was working under the High Consequence Infectious Disease Policy**

**5. Councillors Opportunity to scrutinise and ask questions about Report of Concerns**

**6. Councillors to Vote on the Proposal for an Independent Investigation into the concerns**

## Report of Concerns During the Council Working Under High Consequence Infectious Disease Policy

### Background

As from the 19/03/2020 the Government issued a statement to confirm that the Advisory Committee on Dangerous Pathogens (ACDP) is also of the opinion that COVID-19 should no longer be classified as an HCID High Consequence Infectious Disease. Please see the screenshot below which confirms this position. This screenshot can be found at the gov.uk website page related to COVID-19.

## **Status of COVID-19**

As of 19 March 2020, COVID-19 is no longer considered to be a high consequence infectious disease (HCID) in the UK.

The 4 nations public health HCID group made an interim recommendation in January 2020 to classify COVID-19 as an HCID. This was based on consideration of the UK HCID criteria about the virus and the disease with information available during the early stages of the outbreak. Now that more is known about COVID-19, the public health bodies in the UK have reviewed the most up to date information about COVID-19 against the UK HCID criteria. They have determined that several features have now changed; in particular, more information is available about mortality rates (low overall), and there is now greater clinical awareness and a specific and sensitive laboratory test, the availability of which continues to increase.

The Advisory Committee on Dangerous Pathogens (ACDP) is also of the opinion that COVID-19 should no longer be classified as an HCID.

The need to have a national, coordinated response remains, but this is being met by the [government's COVID-19 response](#).

Cases of COVID-19 are no longer managed by HCID treatment centres only. All healthcare workers managing possible and confirmed cases should follow the [updated national infection and prevention \(IPC\) guidance for COVID-19](#), which supersedes all previous IPC guidance for COVID-19. This guidance includes instructions about different personal protective equipment (PPE) ensembles that are appropriate for different clinical scenarios.

Friday 20<sup>th</sup> March Town Councillors were informed that the Town Council could be moving to work under the High Consequence Infectious Disease Policy.

The Whitehaven Town Council moved to work under the High Consequence Infectious Disease Policy dated 23/03/2020.

Town Councillor E. Dinsdale raised concerns about the Town Council not having a contingency plan, to replace the key positions of Clerk, Chair & Vice Chair. He also requested the Council to look at the possibility of setting up a conference call dial-in facility dated 24/03/2020.

Cllr Arrighi along with the Chair and three other Councillors fully supported the concerns that had been raised. A commitment was given by the Town Council to investigate options to see how we could progress these issues.

Despite commitments being given, Cllr Dinsdale did not receive a formal response from the Council, and as a result he contacted the BBC who agreed to hold a discussing about my concerns on radio Cumbria dated 15/04/2020.

Cllr Brian O'Kane, Chair of Whitehaven Town Council, declined to play a part in the radio interview. Cllr O'Kane did issue a statement, confirming that the council was actively considering holding remote council meetings.

E-mail traffic exchanged between the Clerk, Chair & Vice Chair on the 23<sup>rd</sup> & 24<sup>th</sup> April 2020 implied the Town Council was operating illegally. The E-mails also confirmed that the delegate authority process only covered decisions relating to the day in day out running of the Town Council.

The government changed the law around Councils having the ability to hold remote meetings dated 04/04/2020. Whitehaven Town Councillors, were formally informed of this law change dated 25/04/2020. This is a whopping 21 days after the law had been changed..!!

- Claims were made on social media that the Council had provided inadequate PPE to stakeholders within the Whitehaven Town Council Wards.
- The Town Council have relocated its office from the Whitehaven Civic Hall to the Old Whitehaven News Building, without having any Risk Assessments done relating to disability, before moving into the new premises.  
8<sup>th</sup> July the Whitehaven news reported. Town council officially moves – to former Whitehaven News building.

Brian O'Kane said "Following government guidance, the people of Whitehaven are welcome to visit the new office but will be required to social distance".



- The Whitehaven Town Council did not follow the Local Government Procurement Process in requesting for 3 tenders to be submitted for work and contracts that needed to be done.
- The Whitehaven Town Council had paid over the odds for hand sanitizer. £270 for 5lts of hand sanitiser gel.
- The Whitehaven Town Council Chair did not declare a payment of £1,200 which was made to a family member. The money was paid to a company that organised an Allerdale based campaign which is outside of the Whitehaven Town Council Boundary. There is no evidence to suggest that the Council Tax payers of Whitehaven have directly benefitted from this donation. The Deputy Chair did not know anything about this payment and did not agree to the payment being made.
- Cllr Carla Arrighi, publicly resigned as Deputy Chair of the Whitehaven Town Council, while the council worked under the High Consequence Infectious Disease Policy, claiming the process had a lack of openness and transparency. Cllr Arrighi claimed that the Chair would overrule her as the Deputy Chair. The Deputy Chair believed the Town Council should adopt a virtual meeting position and felt that some information was being withheld from her.

As discussed at the Town council meeting dated 10/07/2020 can the clerks please provide as part of this report receipts for all BACS transfers that took place between Cllr Brian O’Kane & Clerk Mrs V Gorley dated 06/04/20, 08/04/20, 15/04/20, 17/04/20. Can the clerks also provide receipts for the BACS transfer that took place between Xtreme Fitness dated 06/05/20.

Can we also request for a list of stakeholders who received products from the respective BACS transfers that are listed above dated 06/04/20, 08/04/20, 15/04/20, 17/04/20, 06/05/20. Can the list also include the 10 x hand sanitiser gels 500ml x 2 that are listed in appendix 5 page 37 of the Town Council agenda meeting dated 10/07/20.

Can the Clerks also provide the relevant ward grant application forms that were submitted as part of the ward grant process, and include them within this report.

Cllr E Dinsdale sent an E-mail to the Clerk, Chair & Vice Chair dated 23/04/2020 and requested information around the amount of Parish & Town councils within Copeland & Cumbria that have moved to work under the High Consequence Infectious Disease Policy. To be clear, the request is not about the councils that moved to work under the remote meeting process. This request is for the councils who worked under delegated authority as stipulated in the document that was sent to all councillors dated 20/03/20 titled Whitehaven Town Council High Consequence Infectious Disease Policy. Can the clerks please provide this list as part of this report.

## Summery

Within this report there are some very serious allegations including...

Disability discrimination.

Failure to comply with procurement contract processes.

Health & Safety breaches.

Short falls in accounting.

Failure to comply with the Local Government Act.

Breaches of the Nolan Principles.

Strong evidence to suggest the democratic voice of the Town Council was removed.

## Proposed Terms of Reference for Potential Investigation

All councillors clerks and stakeholders to be given the opportunity to contribute to the investigation.

The Investigator...

To report back to the Council any breaches of law, including the local government act.

To report back to council any breaches of the Nolan principles.

To make recommendations to council which will enable the council to work more efficient and productive in the event of a second coronavirus spike.